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Psycho-Criminological Approaches to Stalking Behavior

An International Perspective

Heng Choon (Oliver) Chan and Lorraine Sheridan

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It was only 30 years ago that stalking achieved widespread recognition in the public, professional, and policy spheres as a distinct psycholegal phenomenon. But advances in our understanding this phenomenon have come fast and furious. This volume – edited by Heng Choon (Oliver) Chan and Lorraine Sheridan, two internationally recognized experts – provides an impressive and invaluable survey of research from around the world on the nature, prevalence, impact, and management of stalking. Highly recommended!

—Stephen D. Hart, *PhD, Professor of Psychology, Simon Fraser University, Canada* and *Visiting Professor of Psychology, University of Bergen, Norway*

Stalking impacts a significant number of people each year. The impact of stalking is devastating not only during the period targeted harassment, abuse, and violence but also in long-term consequences associated with this particular form of interpersonal violence. In the US, stalking has been a crime since the early 1990s. However, stalking is often dismissed and risks are diminished by the criminal justice system as well as by other agencies. The new book *Psycho-Criminological Approaches to Stalking Behavior: An International Perspective* comes along at a perfect time as societies all over the world are becoming more aware, and less tolerant, of gender based and targeted violence. This book brings together scholars from all over the world and adds to the literature on stalking in several key ways including better developing the understanding of how stalking is considered and addressed in other countries, how technology may increase the risks associated with stalking, and evidence-informed practices in addressing stalking. This book also addresses the larger scope of stalking harms not typically considered such as the impact on children of families with stalking.

—T.K. Logan, *PhD, Professor, University of Kentucky, USA*
Author of *Partner Stalking: How Women Respond, Cope, and Survive* and *Women and Victimization: Contributing Factors, Interventions, and Implications*

What is stalking? It is the global realization that nobody has to tolerate being pestered by anybody else. Despite this realization, and the consistency with which stalking victims across the world describe their lived experiences, legal and clinical responses vary not only from country to country but across the jurisdictions of a nation. I highly recommend *Psycho-Criminological Approaches to Stalking* as an invaluable compendium of responses from across the globe. International experts describe the history of psycholegal responses in their countries and the ways we are learning from each other. Divided into three parts, this important reference provides readers with the learnings gained from the last 30 years of research into the motives and behaviors of stalking. Five national portraits highlight the challenges of developing laws to support those targeted putting protections in place. In the context of this international experience, the best practices that are now being developed for assessing risk, policing, rehabilitating offenders, and supporting victim survivors are described. This book is a must read for practitioners in family violence, criminal law, scholars, policy writers, and those tasked with supporting people who want to be left alone.

—Lisa Warren, *PhD, Clinical/Forensic Psychologist, Monash University* and *Code Black Threat Management, Victoria, Australia*

Psycho-Criminological Approaches to Stalking Behavior

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An International Perspective

Edited by

Heng Choon (Oliver) Chan

and

Lorraine Sheridan

WILEY

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Foreword

It is with great delight and honor that I welcome the first volume of research and writing on stalking from an international perspective. Drs. Chan and Sheridan introduce us to the intercultural phenomenon of an old behavior, but a new crime; a crime first recognized and codified in the United States in 1990. Since then, all 50 states in the United States, Canada, Australia, New Zealand, and many countries in Europe have recognized that continuous pursuit of another human being which makes them fear for their safety should be considered a crime.

But this work is only a start. The perceptive reader will quickly discern that many countries are not represented by the roster of authors, more specifically, large swaths of South America, Africa, the Middle East, and Asia. This book is a tremendous start – two internationally recognized experts in stalking are the co-editors – but there is much work to be done to codify stalking as a crime in most countries of the world where it is not; a fact which brings me to my first point in this foreword. A prerequisite of stalking is a stable democracy wherein other, and often more severe forms, of interpersonal violence have already been addressed in criminal law. Some authors have referred to these as the WEIRD (Westernized, educated, industrialized, rich, and democratic) countries, suggesting a certain pejorative attitude toward them; my preference is to consider them WIRED, suggesting both progression and innovation.

Why is this the case? Because stalking is a gender-based crime, wherein most victims are women and most perpetrators are men. I remember attending an early stalking conference three decades ago, and asking two female attorneys from Poland if they had a stalking law in their country: they laughed heartily, and said they were still trying to outlaw rape in marriage. We need to keep the cultural and political

aspect of the crime of stalking in mind. Those countries, political parties, and religions of the world who continue to bless, or at least turn a blind eye to, practices that keep women at home unless they are accompanied by a man, cover them from head to toe with clothing lest they sexually stimulate a man, deny the ongoing practice of clitoridectomies in their own society, allow the physical and sexual abuse of women by their husbands, kill women out of a sense of honor because they have been *victims* of rape, consider female babies dispensable, and generally relegate women to second-class citizenship, could care less about the crime of stalking. Despite stalking being an old behavior, it is only a crime in stable democracies, where the dignity of the person, regardless of gender, is a fundamental human right.

On the face of it, moreover, stalking is extremely bizarre behavior. Why would someone continue to pursue another when it was clear that their attention was unwanted? And why would he or she continue to do so in the face of continuous rejection and the interference of third parties? When I first became interested in stalking, I published a paper entitled, "Unrequited love and the wish to kill" (Meloy, 1989). In those days – a year before the first stalking law in the US was passed in California – my interest focused upon the psychodynamics of the stalker, and the extreme paradox encoded in the culture in such phrases as, "you only hurt the one you love." Why do most murders occur between individuals who know each other quite well, if not intimately? Why was there such violence within interpersonal relationships, and most readily in marriage? Why is prior sexually intimate stalking so frequently accompanied by violence? What was this phenomenon my friend Lenore Walker (1984) was researching, the "battered wife syndrome?" And what sense did it make that serial murderers typically selected victims that were strangers, or at most, casual acquaintances – instead of intimates?

And then I began to read John Bowlby, the great British psychoanalyst who discovered attachment, and developed attachment theory, and I knew that the partial answer to my questions was swimming in this psychobiological undercurrent called attachment. A universal aspect of virtually all mammals, including most members of our species, attachment is often invisible unless threatened: we don't consciously *feel* attached to others all the time, yet when those with whom we are bonded reject us, leave, are injured, or die, we are consumed by very intense feelings, often captured by the word *grief*. And if we cannot grieve our losses, we can be consumed by our grievances, and act violently toward those who have rejected us, or with whom we cannot attach despite our best efforts because they do not want us around anymore. This new crime, stalking, was fundamentally a psychopathology

of attachment. Subsequent research would test this idea and find empirical support for it (MacKenzie, Mullen, Ogloff, McEwan, & James, 2008).

Yet, it is not just actual relationships that can foster stalking. The force of fantasy (Person, 1995) is endemic in some cases of stalking, particularly when the target is a public figure. And it should come as no surprise that more than 80% of public figure stalkers have a major mental disorder, a replicated finding in both North America, Australia, and various European countries (Hoffmann, Meloy, & Sheridan, 2014). What is remarkable is the power of internal fantasy to both conjure intense longings for a relationship with a public figure, and often intense feelings of rejection and betrayal when that public figure has violated the "narcissistic linking fantasy" of the stalker, on occasion leading to targeted violence. Such internal states of mind are likely similar within cultures, but the variation *across* cultures brings me back to the importance of this volume.

Drs. Chan and Sheridan have assembled a world-class group of researchers and writers who elucidate in detail the demographics of international stalking, the variations in the suffering of victims across countries, the usefulness of typologies of stalking, the nexus between stalking and cyberstalking – highlighting the need to criminalize unwanted pursuit in both the virtual and terrestrial worlds, the tenacious work to politically advance efforts to criminalize stalking, and the existence of three fine European programs for the treatment of both stalking victims and perpetrators.

This book does not belong on everyone's bookshelf. But it does belong on everyone's desk, open for reading and reflection, whether a newcomer to the field or an experienced researcher into the dark recesses of this ubiquitous crime.

J. Reid Meloy, PhD
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University of California, San Diego
Editor, *The Psychology of Stalking*

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Introduction: Stalking Behavior in a Global Context

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INTRODUCTION

Stalking is a serious global problem that has attracted considerable interest from academics, practitioners, policy makers, and the general public. Despite its recognition as a ubiquitous offending behavior, there are still much to be learned about this phenomenon. Most knowledge on stalking is accumulated from studies conducted in only a handful of countries (e.g., Australia, the UK, and the US). Very limited research has been conducted in populations outside Western, Educated, Industrialized, Rich, and Democratic (WEIRD) societies (see Henrich, Heine, & Norenzayan, 2010). It is only in recent years that there has been an increase in the number of stalking studies conducted within non-WEIRD populations (e.g., Chan & Sheridan, 2017 on Hong Kongers; Matos et al., 2019 on Portuguese; Sheridan, Arianayagam, & Chan, 2018 on Singaporeans) and comparisons across different countries and cultures (e.g., Sheridan, Scott, & Roberts, 2016 on 12 countries). Even though this is promising, there is still a lack of knowledge coming from under-researched populations, including Lithuania, South Africa,

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Spain, Portugal, Germany, Denmark, Finland, and the Netherlands. Thus, the key purpose of this edited volume is not only to update research findings and best practice from the widely researched populations, but also to advance our knowledge of best practice and research conducted within those rarely studied populations.

THE APPROACH ADOPTED IN THIS BOOK

Numerous attempts to comprehend and explain crime were made long before criminology emerged as a distinct academic discipline. Similar to psychology, which grew from other disciplines such as philosophy, medicine, and physiology, the emergence of criminology also had its roots in other disciplines (Hollin, 2013), particularly in sociology. Criminology has traditionally been housed under sociology and most criminological theories are sociological in nature. Hayward (2005) observed that "Psychology and criminology emerged as distinct disciplines at a very similar historic moment—the latter half of the nineteenth century" (p. 110).

Put simply, psychology is the scientific study of behavior and mental processes, while criminology is the scientific study of crime and criminals. Therefore, psychological criminology can be referred to as the convergence of psychology and criminology in that psychological criminology is concerned with the use of psychological knowledge to explain and describe (with the attempt to modify) criminal behavior (Chan & Ho, 2017; Hollin, 2012). By examining personality and social influences, this field of study focuses on individual offending behavior in terms of how the behavior is acquired, evoked, maintained, and modified (Bartol, 2002). In addition to considering societal-level influences, psychological criminology applies psychological theories to aid understanding of crime and criminals. Wortley (2011) postulated that psychological criminology largely addresses the question: "What is it about the individuals and their experiences that causes them to commit crime and/or to become criminal?" (p. 1).

This psycho-criminological approach to understanding crime and criminals is particularly relevant to the focus of this edited volume. In this book, we aim to explore the different aspects and dynamics of stalking behavior from a global perspective. The highlight of this edited work is the range of contributions to the comprehensive study of stalking behavior from more than a dozen countries, with most of the sampled populations coming from arguably under-researched regions (e.g., Lithuania, South Africa, Singapore, Denmark, Germany, and Spain).

THE STRUCTURE OF THE BOOK

This edited collection on stalking behavior is written by experienced field practitioners and researchers from 14 countries. With a combined theoretical- and practical-oriented mode, this volume attempts to introduce readers to the core areas of research and practice in this field. This book is arguably the first to offer a global approach to discussing different topics on stalking perpetration and victimization, under three main themes: theories and research, national portraits, and policy and best practice.

With a total of 17 chapters, 6 chapters are structured under the first section on theories and research. In Chapter 1, Fissel and colleagues perform a meticulous review of the existing stalking and cyberstalking literature, with an emphasis on research published within the disciplines of criminology and victimology in the United States. Among other issues, concepts and definitions of stalking and cyberstalking victimization, recent prevalence estimates, and theoretically-grounded predictors of stalking and cyberstalking victimization are discussed. The chapter concludes with suggestions for future research directions. In Chapter 2, Ngo explores the racial differences among Asian, White, and Black victims in the United States in relation to prevalence, nature of stalking, and related coping strategies for stalking victimization. The literature has consistently identified that stalking is a correlate for severe and lethal interpersonal violence. Interpersonal violence victimization among Asian Americans, in general, appears to be seriously underreported in part due to their internalization of traditional sex-role expectations that tend to attribute greater stigma to victims of violence than to the offenders. A number of significant differences are found in this study among Asian, White, and Black victims in terms of the victim, offender, and incident characteristics.

Chapter 3, written by Laitinen and Nikupeteri, introduces a rarely examined perspective in ex-partner stalking—that is, the child's perspective. The authors explore Finnish children's experiences of parental ex-partner stalking, with an emphasis on cases where the father or stepfather stalks the mother. This chapter offers a general understanding of children's experiences pertaining to their knowledge about parental stalking and what action that knowledge induces in them. Grounded by Giddens's (1984) theorization of agency, five overlapping dimensions of children's knowing agency are proposed based on the analysis of the experiences of 19 children—that is, adapting and withdrawing, vacillating, supportive and constructive, responsible and evaluating, and critical and change-seeking. Chapter 4 by Khader and Chan is written specifically on the cyberstalking phenomenon in

Singapore. The authors surveyed a total of 814 university and high-school equivalent students on the frequency and type of cybervictimization behaviors that they experienced, levels of perceived threat, post-traumatic symptomology, coping strategies, and attitudes toward future help-seeking avenues. With prevalence rates ranging from 27.7 to 55.5%, several significant findings are noted in this study.

In Chapter 5, McEwan and Davis synthesize the literature on the use of different typologies in understanding and assessing stalking, and statistically apply the three most commonly used typologies (i.e., Zona, Sharma, & Lane's, 1993 typology; Mullen, Pathé, & Purcell's, 2000 motivational typology; and Mohandie, Meloy, McGowan, & Williams's, 2006 RECON typology) to an Australian sample of stalkers. The primary aim of this chapter is to inform practitioners on which stalking classification system to use when assessing the risk of victimization. In Chapter 6, Scott and colleagues discuss the findings of their survey of 3,803 members of the public from Australia, the United Kingdom, and the United States on their familiarity with, and understanding of, the respective stalking/harassment legislation in these different jurisdictions. Overall findings suggest that only a minority of participants indicated that they were familiar with the legislation and were able to provide information about their understanding of the legislation. The authors conclude with a call to increase public understanding of legislation in order to increase the probability that victims and those surrounding them are able to accurately identify their experiences as stalking.

The next five chapters are organized under the section on national portraits of stalking phenomena from Lithuania, Spain, Denmark, Portugal, and South Africa. In Chapter 7, Laurinaityté and Michailovič examine stalking perceptions, victimization, and anti-stalking responses in the Lithuanian context. The authors first review Lithuanian anti-stalking legal regulation and subsequently highlight the available statistics on stalking. The chapter concludes with suggestions on preventive responses to stalking victimization. Chapter 8, written by Subirana-Malaret and colleagues, provides a distinctive Spanish experience on stalking and intimate partner violence prevention from the ecological and public health perspective. There was no anti-stalking legislation in Spain until 2015. The authors argue that violence prevention requires a complex and multisectoral response, which should include governmental systems, health care institutions, and community-based organizations.

Chapter 9 focuses on stalking in the Danish context. Larsen and colleagues from The Dansk Stalking Centre, a forerunner in providing services to victims and offenders in stalking, introduce the prevalence and nature of stalking as experienced in Denmark. These authors note

that it is important to distinguish the concepts and experiences of stalking, harassment, and conflict in order to ensure that the victims will receive the appropriate help and support in dealing with their victimization. In Chapter 10, Ferreira and Matos synthesize and critically review some of the national estimates on stalking victimization in Portugal, by analyzing national victimization surveys, studies conducted with specific populations, and official data from the justice system. The authors subsequently highlight difficulties and post-criminalization challenges in responding to stalking, and call for the need to maintain dynamic and up-to-date efforts to address and prevent stalking victimization. Finally, in Chapter 11, Labuschagne and Stollarz write on the stalking situation in South Africa. The authors review the current legal state of affairs by examining common-law and statutory options for combating stalking victimization in the absence of any anti-stalking legislation. The chapter concludes with three case studies to illustrate the different types of stalking incidents in South Africa.

The final section of the book, with six chapters, focuses on policy and best practice in dealing with stalking perpetration and victimization. In Chapter 12, Brandt and Voerman from the Netherlands National Police comprehensively discuss the approach adopted to policing stalking in the Dutch context. The Dutch version of Screening Assessment for Stalking and Harassment (SASH) is made available to police officers to assess the level of risk posed by the stalker. This 10-item checklist that includes an automated query, case screening, and prioritization is used along with case management with partner agencies when handling stalking cases. Chapter 13 by Strand is devoted to the discussion of the importance of fear as a victim vulnerability factor in assessing and managing stalking victimization. The chapter also introduces how Swedish police assess and manage the risk for further stalking victimization in conjunction with other related agencies (e.g., non-governmental organizations) from a rurality perspective.

In Chapter 14, Bartlett and Chan provide a meticulous review of the latest literature on legal developments relating to online harmful and threatening behavior, with a focus on the Australian and North American contexts. The authors highlight different online typologies, communities, and subcultures that are prone to problem behavior, and weaknesses in the current legal options and management practices. The chapter concludes with suggestions concerning effective strategies to address the issue and future research directions. Chapter 15 by Siepelmeyer and Ortiz-Müller is written to introduce the readers to a specialized community-based service center that offer psychosocial and psychotherapeutic counseling for stalking offenders and victims in Berlin, Germany. "Stop-Stalking" adopts an integrative approach that is grounded in

counseling concepts to help stalking offenders and victims via a structured modular program. To enhance program effectiveness, the center works in close collaboration with stakeholders, such as the police, public prosecution, courts, probation services, and mental health institutions.

Chapter 16, written by Henley and colleagues at the National Stalking Clinic in the United Kingdom, provides an overview of the Clinic's development and fundamental approach adopted to assess individuals who have engaged in stalking behavior. A general finding of the analysis of the first 60 cases handled by the Clinic is provided, along with several case examples to illustrate the different approaches used in assessment and intervention. Finally, in Chapter 17, Larsen and colleagues build on their previous chapter to comprehensively discuss the services offered at their Danish Stalking Centre. Adopting a holistic and preventive approach, the Centre offers psychosocial and legal counseling and treatment to victims of stalking, their children, and next of kin. The Centre also engages in collaborative projects that primarily aim to enhance police responses to stalking cases and to develop cooperation models across police and municipalities.

EXPLORING THE GLOBAL PHENOMENON OF STALKING BEHAVIOR FROM A PSYCHO-CRIMINOLOGICAL PERSPECTIVE

The primary objective of this book is to offer a combined theoretical- and practical-oriented text that explores the psycho-criminology of stalking behavior in a global sense. A key strength of this edited collection stems from the collective contributions of practitioners and academics in the field. Important messages are combined with valid and current case illustrations, and supported by empirical and theoretically-driven research findings; we envision that this edited volume could contribute significantly to advancing our knowledge of stalking behavior. Needless to say, such knowledge is a prerequisite for effective and timely intervention, be it offender threat assessment and management, victim and offender treatment strategies, or public and social policies to address this serious societal concern. In the words of Westen and Weinberger (2004):

> Collaboration between clinicians [or practitioners] and researchers could substantially improve the quality of scientific research… The scientific mind and the clinician [or practitioner] mind can coexist, in a single field—indeed, in a single person—and that the dialectic between the two may be essential for a scientific [psycho-criminology].
>
> (p. 610)

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Part I

Theories and Research

1

Stalking and Cyberstalking Victimization Research: Taking Stock of Key Conceptual, Definitional, Prevalence, and Theoretical Issues

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INTRODUCTION

Stalking is an age-old predatory behavior discussed in the ancient writings of Greek physician Hippocrates, researched in the twentieth century by French psychiatrist Gaëtan Gatian de Clérambault, given notoriety by celebrity victims (e.g., John Lennon, Jody Foster, David Lettermen), sung about in popular "love" songs (e.g., The Police, "Every Breath You Take," Sarah McLachlan, "Possession," Garbage, "#1 Crush"), and viewed as *Fatal Attraction* in movie theaters worldwide (Davis, 2016; Stewart & Fisher, 2013). Media coverage, particularly surrounding the death of actress Rebecca Schaeffer by her stalker in 1989, helped to raise public awareness about stalking as a social

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problem. Her death, coupled with the murder of five women in Orange County who had been stalked by former boyfriends or spouses, prompted the California legislature to pass the first anti-stalking law in 1990. These cases galvanized national and state attention as to the seriousness of stalking and, shortly thereafter, a flurry of anti-stalking legislation swept across the United States. By the end of the 1990s, all 50 states, the District of Columbia, Puerto Rico, the Virgin Islands, Guam, and the federal government had passed anti-stalking laws. Although numerous constitutional challenges to these laws were waged for being overly broad or vague and, therefore, violating the First Amendment or the Due Process Clause, the courts generally upheld the laws (Beagle, 2011).

Today, a large body of stalking victimization research has been produced and researchers in a variety of disciplines continue to be interested in estimating the prevalence and incidence, and identifying both the predictors and consequences, of stalking victimization. Further, several educational and victim service organizations, such as the National Victim Center and Survivors of Stalking (NVCSS), have been created to address stalking victims' legal needs and the potentially negative quality of life effects, including psychological trauma and financial costs. These organizations also provide training on how communities can effectively enhance their response to stalking (see e.g., Stalking Resource Center, 2018: http://victimsofcrime.org/our-programs/stalking-resource-center). In light of the grim statistics about the extent of stalking, such as the finding that three out four women murdered by an intimate partner were stalked in the prior year (Black et al., 2011; McFarlane et al., 1999; Stalking Resource Center, 2018: http://victimsofcrime.org/our-programs/stalking-resource-center), law enforcement and prosecutors are now routinely trained in stalking-related issues (e.g., connecting incidents, protection orders). Work also continues to raise public awareness about the realities of stalking, with the NVCSS collaborating with the Office on Violence Against Women to promote January as National Stalking Awareness month each year in the United States.

Although stalking is defined legally throughout the United States for criminal justice purposes and has also been labeled a public health concern, measuring who has been stalked and, hence, producing prevalence and incidence rates, has been a daunting challenge for scholarly researchers. This challenge has been compounded by the development of the internet and the ability to virtually stalk someone 24/7. In the first section of this chapter, we take stock of stalking research found within criminology and victimology to critically view how stalking and cyberstalking have been conceptualized and defined to discuss the

measurement issues underlying stalking and cyberstalking estimates. To fully understand the extent to which people experience stalking and who the victims are, the second section reviews both adult and college student studies to present prevalence estimates of stalking and cyberstalking, and descriptions of the victims and their stalkers. The third section focuses on the theoretical approaches that have been tested and presents a discussion of the significant predictors of stalking and cyberstalking victimization that these bodies of research have produced. The conclusion provides directions for future research.

CONCEPTUAL AND DEFINITIONAL ISSUES—STALKING

The criminalization of stalking by all 50 state legislatures and the federal government in the United States during the early 1990s generated much debate among stalking scholars, with the conceptualization and measurement of stalking victimization being a central focus. Complicating the debate is the fact that within the United States, state, federal, territory, and even military legal criminal definitions of stalking, while sharing common elements, are not identical (Stalking Resource Center, 2018: http://victimsofcrime.org/our-programs/stalking-resource-center). Laws criminalizing stalking were largely passed to distinguish stalking from other unwanted intrusive behaviors, such as harassment and intimidation. Additionally, legal definitions of stalking do not necessarily align with those adopted by social science researchers, and even within the research community, conceptions of stalking vary across fields (e.g., psychology, psychiatry, victimology). Further, researchers' operational definitions of stalking also may differ depending on whether the study involves a focus on stalking victimization or perpetration. That is, studies of perpetration often emphasize the intent of the stalker, whereas this focus is not included in victimization studies.

Although a universal definition of stalking has not been adopted by the legal or research communities, definitions of stalking victimization typically include at least two core elements: (a) a course of conduct exhibited by the perpetrator; and (b) feelings of fear by the victim (e.g., Fox, Nobles, & Fisher, 2011; Tjaden, 2009; Tjaden, Thoennes, & Allison, 2000). These two elements are contained in the widely cited definition of stalking provided by the Stalking Resource Center (2018: http://victimsofcrime.org/our-programs/stalking-resource-center), which explains that stalking involves a "course of conduct directed at a specific person that would cause a reasonable person to feel fear."

"Course of conduct" refers to the particular behaviors perpetrated by the stalker to pursue his or her victim. In the National Crime Victimization Survey's (NCVS) Supplemental Crime Survey (SVS) fielded in 2006, for instance, these methods of pursuit included such behaviors as: unwanted phone calls, unsolicited or unwanted letters or emails, following or spying, waiting at places or showing up for no legitimate reason, and posting information or spreading rumors. In the redesign of the SVS, these pursuit behaviors have been expanded to include damage to the victim's property, sneaking into the victim's home or car, as well as several technology-enabled forms of pursuit (e.g., via social media, smartphone applications). While these pursuit behaviors are fairly well accepted as indicators of stalking, what is less accepted is the threshold at which such experiences should be labeled as stalking.

In terms of the frequency of these pursuit behaviors, researchers often consider stalking to have transpired if the victim experiences these actions repeatedly. However, scholars have conceptualized "repeatedly" using different thresholds. By definition, the term implies that stalking behaviors have been experienced two or more times—a standard adopted by many stalking researchers. Yet, the nature of "repeated" pursuit in stalking research has ranged from two or more instances of stalking behavior, to 10 or more instances, to allowing victims to decide for themselves whether the nature of the pursuit was repeated (Fox et al. 2011). Clearly, the frequency criterion used to classify pursuit behaviors as repeated affects the magnitude of estimates of the incidence or prevalence of stalking victimization across research studies.

The second important feature of stalking definitions is the so-called "reasonable person fear standard," in which fear represents the harm that being pursued causes the victim (see, e.g., Dietz & Martin, 2007; Fox et al. 2011; Reyns & Englebrecht, 2013). In short, the fear standard requires that persons who are repeatedly pursued by stalkers also feel fearful as a consequence of the offender's behavior. Conceptually, depending on the state, persons could be repeatedly pursued, but not labeled as victims of stalking if they were not fearful for their safety or the safety of their immediate family, not fearful of bodily harm or death, or did not suffer emotional distress (Catalano, 2012).

The implications of the fear standard are twofold. First, requiring that victims feel fearful following the stalker's course of conduct impacts estimates of the extent of the crime. Second, some have pointed out that fear criterion is a useful way of distinguishing stalking from harassment (e.g., Baum, Catalano, Rand, & Rose, 2009; Catalano, 2012). However, others have suggested that the fear standard unduly disadvantages victims who might react with feelings other than fear

(Dietz & Martin, 2007; see also Tjaden & Thoennes, 1998). In the redesigned SVS, respondents are asked separately about fear for their safety or the safety of someone close to them, as well as about whether the stalker's pursuit behaviors caused them substantial emotional distress. Such an approach will allow for an assessment of how the acknowledgement of the type/form of harm (e.g., fear, substantial emotional distress, or both) by victims influences the prevalence estimates of stalking.

State stalking statutes have codified this criterion in different ways, and scholars have likewise viewed the fear standard from different perspectives. According to Fox, Nobles, and Fisher (2011), most state stalking statutes include some variation on the fear standard, either specifically using the word "fear" or some comparable emotional response, such as "distress." For example, California law specifies the word "fear" in the state statute, Ohio law includes the term "mental distress," and Nevada uses the descriptors of feeling "terrorized," "frightened," "intimidated," or "harassed." This same variation in the language surrounding the fear standard exists in stalking research. Whether the fear standard is included in measures of stalking (and to what degree, e.g., see Tjaden & Thoennes, 1998) influences whether the behaviors experienced are classified and counted as stalking by researchers. The inclusion or exclusion of fear also affects how stalking is recorded by criminal justice actors—namely the police.

CONCEPTUAL AND DEFINITIONAL ISSUES—CYBERSTALKING

For the most part, the conceptual and definitional issues impacting the study of cyberstalking victimization mirror those of stalking victimization, but with some particularities. Similarly, researchers continue to debate how best to conceptualize and measure cyberstalking, but as there is limited research on cyberstalking, there are fewer scholarly voices informing this debate. Like definitions of stalking, cyberstalking definitions also involve repeated pursuit behaviors and emotional harm to the victim. Yet, the nature of the stalker's pursuit—and also possibly the emotional harm to the victim—are conditioned by the environment in which the parties interact. The cyberstalker utilizes remote forms of pursuit to stalk the victim, including communications technologies such as texts, instant messages, and emails; and monitoring tools, such as spyware, GPS devices, and audio/video recording devices. Most researchers have adopted a "two or more" metric for conceptualizing the frequency of repeated online pursuit, but this concept becomes cloudy when considering monitoring as cyberstalking (see Henson & Reyns,

2016 for a review). Further, some studies have allowed individuals to self-identify as victims of cyberstalking, which sidesteps these criteria entirely (e.g., Sheridan & Grant, 2007).

Relative to stalking research, there is less consistency in the inclusion of the fear standard in definitions of cyberstalking victimization. While some studies have satisfied this and others have not (for a review, see Henson & Reyns, 2016), the larger issue is whether the nature of fear (or comparable emotions) is altered by the online environment. Indeed, Henson, Reyns, and Fisher (2013) reported that fear of online interpersonal victimization was very low in a sample of college students. However, they also reported that fear of online crime was modestly higher in situations in which the victim and offender were strangers. The authors speculated that students were less afraid of online victimization because they were not in physical proximity to the offender. This is an important consideration in the cyberstalking definition debate, because if the remote nature of online crimes does indeed reduce fear of crime, then conceptually there should be lower rates of cyberstalking than stalking. Thus, while including a fear standard, or something similar to it, is important for differentiating cyberstalking from other forms of online victimization, the threshold for labeling an emotion as "fear" should probably be fairly low.

In addition to these two issues, the place of cyberstalking relative to stalking is also debated within the research community. In particular, there is some question about whether cyberstalking is a distinct form of victimization from stalking, a related form of victimization with distinguishing features, or simply stalking by different means. For example, Nobles, Reyns, Fox, and Fisher (2014) argued that because experiencing cyberstalking also satisfies legal criteria for stalking victimization, cyberstalking must be viewed as a subcategory of stalking. Since they both involve repeated pursuit and fear, the remote nature of the contact in instances of cyberstalking does not negate that stalking also has occurred. Conversely, Bocij (2003, n.p.) argued that there are differences between stalking and cyberstalking and that "… cyberstalking should be seen as a distinct form of deviant behavior, albeit one that is related to offline stalking."

PREVALENCE OF STALKING AND CYBERSTALKING VICTIMIZATION

Over the past two decades, many scholars have estimated the prevalence of stalking victimization. These studies include samples from different populations, including adults, college students, high-school

students, and adolescents. The prevalence of cyberstalking victimization also has been explored, albeit to a lesser extent. For methodological reasons outlined in prior sections, estimates of stalking and cyberstalking victimization vary across studies. Understanding the prevalence of stalking and cyberstalking victimization, and who are the victims, are logical first steps toward developing prevention and intervention strategies.

National-Level Adult Samples

In 1998, Tjaden and Thoennes explored stalking victimization as a part of the National Violence Against Women Study (NVAWS) funded jointly by the National Institute of Justice (NIJ) and Centers for Disease Control and Prevention (CDC). This was the first national-level study of stalking victimization, surveying over 8000 adult men and 8000 adult women in the United States. Tjaden and Thoennes (1998) utilized two definitions of stalking victimization. When using the restrictive definition, which required respondents to experience a high level of fear as a result of the pursuit behaviors, it was estimated that 8% of women and 2% of men were stalked in their lifetime. The lifetime prevalence of stalking increased to 12% of women and 4% of men when the less stringent definition was used, which only required respondents to feel somewhat or a little frightened.

A second national-level study conducted several years later, from July 2001 to February 2003, produced an estimate similar to the "restrictive" definition reported by Tjaden and Thoennes (1998). The Injury Control and Risk Survey (ICARIS-2), which was based on a sample of 9684 adults living in the United States, revealed that 4.5% of the sample had experienced stalking victimization at some time in their lives (Basile, Swahn, Chen, & Saltzman, 2006). When broken down by gender, 7% of women and 2% of men were stalked at some point in their lifetime (Basile et al., 2006).

The third national-level study, funded by the CDC—the National Intimate Partner and Sexual Violence Survey (NISVS)—estimated lifetime prevalence rates that were slightly higher than the previous two nationally representative studies. Using a large sample of 16 507 adults, results estimated that 16% of women and 5% of men were stalked at some point in their life, with multiracial and Native Indian and Alaska Native women having the highest lifetime prevalence rates (30.6 and 22.7%, respectively) (Black et al., 2011).

Finally, results from the SVS of the NCVS revealed that 1.5% of adults were stalked in the 12 months preceding the survey's administration, with individuals who were divorced or separated having the highest rate (3.3%) compared to those married, never married,

or widowed. A larger percentage of females were stalked than males (2.2% compared to .08%) (Catalano, 2012). Similar to the NISVS prevalence rate, multiracial and American Indian and Alaska Native individuals had the highest stalking rates (4.1 and 2.2%, respectively). The SVS also estimated the prevalence of cyberstalking victimization among stalking victims. Of the 1.5% of adults who were stalked, 26.1% were also cyberstalked (Baum et al., 2009). The SVS is the only nationally representative sample of adults in the United States that has reported estimates of cyberstalking among stalking victims.

Given the prevalence of stalking reported by these four studies collectively, one can appreciate why stalking and cyberstalking have become legitimate concerns among the criminal justice and public health communities. These estimates are all the more striking when considering that a majority of instances of stalking victimization are not reported to law enforcement—in part, because most of the stalkers are someone known to the victim (e.g., current or former intimate partner, or acquaintance/friend)—and most of the victims are young, between 18 and 24 years old (Baum et al., 2009; Black et al., 2011; Catalano, 2012). Noteworthy across all four studies is the larger percentage of women experiencing stalking relative to the percentage of men, possibly suggesting that stalking is a gender-based phenomenon. Further, the racial findings concerning non-Whites should not be overlooked as racial bias may be underlying their high rates of stalking victimization.

College Student Samples

As presented in Table 1 (see second column), several studies on stalking and cyberstalking victimization have utilized college student samples, which shed more light on the extent of these types of victimization. In a nationally representative sample of college women, for example, Fisher et al. (2002) found that 13.1% of college women were stalked since the beginning of the school year, which was approximately a seven-month time frame. In this study, they also estimated the extent of cyberstalking victimization. Of those who were stalked, 24.7% were also cyberstalked (Fisher et al., 2002).

Using a similar time frame, Mustaine and Tewksbury (1999) also estimated the extent of stalking victimization among college women. Findings revealed that 10.5% of the women were stalked in a six-month period. The American College Health Association's National College Health Assessment II (ACHA-NCHA II) found a smaller prevalence rate when compared to other studies of undergraduate students. The findings revealed that 5% of students had been stalked in a

Table 1 Lifestyle–routine activity theory used in stalking research.

Study Authors (date published)	Prevalence Rate	Theoretical Concept: Exposure to Victimization Risk	Proximity to Motivated Offender	Guardianship	Target Attractiveness
Mustaine and Tewksbury (1999)	10.5% college women were stalked in a six-month period	Shop at the mall**(–) Drinks at home often**(+) Gets drunk in public*(+) Bought drugs**(+)		Carries mace**(+) Carries pocket knife**(+) Employment status (unemployed) **(–) Lives on campus**(–)	
Fisher, Cullen, and Turner (2002)	13.1% of college women experienced stalking victimization in a seven-month period	Proximity to be at places with alcohol (ns) Frequency of drinking enough alcohol to get drunk (ns) Frequency of smoking pot or hashish*(+) Member of or pledge to social sorority (ns)	Proximity to be at a place with men (ns) Live in a coed dorm (ns) Live on campus (ns) Part-time study (ns)	Live alone***(+)	Committed relationship of more than 1 year****(+) Committed relationship of less than 1 year****(+) Some dating****(+) Never date (ns) Freshmen / sophomore***(+) Junior / senior**(+) Age (ns)

(Continued)

Table 1 (*Continued*)

Study Authors (date published)	Prevalence Rate	Theoretical Concept			
		Exposure to Victimization Risk	Proximity to Motivated Offender	Guardianship	Target Attractiveness
Reyns et al. (2016)	7% of Canadian residents experienced stalking victimization in the last 5 years	Main activities (ns) Work or school***(+) Restaurants, movies, theater**(+) Bars and pubs (ns) Exercise, sports, recreation (ns) Shopping (ns) Visiting friends (ns)	—	Avoid certain areas****(+) Self-defense class****(+) Change phone number****(+) Move residences****(+) Stay home****(+)	Household income**(−) Relationship status****(−) Drinking frequency (ns)
Reyns and Scherer (2017)	6% of college students were stalked in a 12-month period	Alcohol use****(+) Binge drinking**(+) Marijuana use (ns) Illicit drug use****(+) Number of sexual partners****(+) Greek membership (ns)		Participation in sports (ns) Volunteering****(+) Employment****(+) Relationship status**(+) Off-campus housing (ns) LGBQ sexual orientation****(+)	

*$p \leq .10$; ** $p \leq .05$; *** $p \leq .01$; ****$p \leq .001$.
(+) = positive relationship, (−) = negative relationship, (ns) = not statistically significant.

12-month time frame (American College Health Association [ACHA], 2017) (not in table).

Among the largest college student victimization studies to date, all students enrolled in 27 participating universities and colleges were invited to complete The Association of American Universities' (AAU) Campus Climate Survey. The AAU study estimated that, overall, 4.2% of students reported that they had been the victims of stalking since enrolling at their school. With such a large sample of students, stalking rates could be broken down by gender identity, revealing a somewhat surprising finding. Those students who identified as a transgender woman or man, genderqueer, gender non-conforming, or questioning had the highest rates of stalking (12.1% undergraduates, 8.4% graduate/professional) compared to female (6.7 and 5.2%, respectively) and male students (2.2 and 1.7%) (Cantor et al., 2015).

Stalking victimization prevalence rates for college student samples appear to be much larger when compared to those from the nationally representative adult samples (Brady, Nobles, & Bouffard, 2017). One reason for this could be that this age group is at greater risk for stalking victimization. Several large-scale studies sponsored by NIJ and CDC suggest this may be the case. First, the NVAWS first reported that 52% of stalking victims were between the age of 18–29 years old when they were first stalked (Tjaden & Thoennes, 1998). Second, the SVS reported that persons age 18–19 and 20–24 experienced the highest prevalence of stalking (2.9 and 2.8%, respectively) (Catalano, 2012). Third, supportive of stalking being relatively common among young persons, the NISVS reported that more than half of females (52.6%) and more than a third of males (34.9%) were stalked before the age of 25 (Black et al., 2011).

Previous research from college student samples on cyberstalking victimization reveals a wide range of lifetime prevalence rates. On the lower end of the prevalence spectrum, Reyns, Fisher, and Randa (2018) reported an annual prevalence of cyberstalking victimization among students from two universities of 3.4%. Similarly, Kraft and Wang (2010) found that 9% of their student sample reported being cyberstalked at some point in their life. In contrast, Reyns, Henson, and Fisher (2011) reported that 41% of students had been cyberstalked during their lifetime. A key difference between the stalking and cyberstalking research involves the lack of standardized definitions of cyberstalking, including whether the fear standard is used as a definitional criterion, which likely impacts estimates of the extent of the problem.

High School Student and Adolescent Samples

High school and adolescent samples also have been utilized, albeit to a lesser degree, to explore the extent of stalking and cyberstalking victimization. For instance, in a study of 18 018 high-school students in Kentucky, 16.5% of the sample was identified as victims of stalking within the previous 12 months (Fisher et al., 2014). When the sample was broken down by gender, 18.4% of females and 13.9% of males reportedly experienced stalking victimization (Fisher et al., 2014)—a finding that mirrors the gender differences reported in the adult and college student sample studies.

A study of sixth and ninth grade students from 13 different schools revealed that 14% of females and 13% of males were stalked in a 12-month time frame (Reidy, Smith-Darden, & Kernsmith, 2016). It is important to note, however, that some of the measures of stalking are behaviors that could also be classified as cyberstalking (e.g., left unwanted voicemails or texts), and therefore, perhaps, explain why the stalking estimates are similar across gender.

In sum, prevalence estimates of stalking and cyberstalking victimization are difficult to compare across studies due to a number of methodological reasons: variation in the definition and operationalization of victimization, including the types and number of tactics or pursuit behaviors included, the fear standard used, the reference frame, and the population from which the sample was selected. With that being said, it is clear that a sizable number of individuals have been stalked and/or cyberstalked, regardless of the time frame. Even the lowest prevalence rate (1.5%) from the SVS of the NCVS, would translate into over 3.3 million United States adults being stalked annually (Catalano, 2012).

THEORETICAL APPROACHES APPLIED TO STALKING AND CYBERSTALKING VICTIMIZATION

Moving beyond prevalence, another primary focus of scholars has been to identify the predictors of stalking and cyberstalking victimization. Several theoretical perspectives from the fields of victimology and criminology have been used to predict and explain stalking and cyberstalking victimization. These approaches provide insightful explanations about how and why these victimizations occur. Such information can be used by victim advocates to tailor safety and prevention strategies and inform mental health professionals' treatment of stalking victims' psychological wellbeing.

Victimological Explanations of Stalking and Cyberstalking Victimization

Lifestyle–Routine Activity Theory

The perspective that has most frequently been utilized by scholars to explain stalking victimization, lifestyle–routine activity theory (LRAT), represents a fusion of lifestyle-exposure theory (Hindelang, Gottfredson, & Garofalo, 1978) and the routine activity approach (Cohen & Felson, 1979). These theoretical perspectives are both premised on the notion that lifestyles and routine daily activities increase or decrease opportunities for criminal victimization. Despite their separate origins, the two perspectives have evolved into LRAT, which focuses on four elements of opportunity: exposure to victimization risk, proximity to motivated offenders, guardianship, and target attractiveness (e.g., Cohen, Kluegel, & Land, 1981). When these four elements converge in time and space, a criminal victimization is more likely to occur.

According to LRAT, exposure refers to contact with high-risk or criminogenic persons or situations, which thereby increases the risk of being victimized. For stalking victimization, this could include behaviors that are public in nature (e.g., shopping, work, school) or associated with motivated offenders (e.g., visiting bars, drinking alcohol, smoking pot). Individuals who come into close proximity to motivated offenders also have an increased risk of victimization. In terms of stalking victimization, close proximity could occur when living on a college campus, as there is a large concentration of potential offenders. Attractive targets are those that have some value to an offender. Characteristics that make an individual an attractive target for a stalker could range from relationship status, to age, to income, to drinking frequency. Finally, guardianship is the one element of LRAT that is hypothesized to reduce risk of victimization. Those who spend time around others—who could act as capable guardians—should, theoretically, have a reduced risk of stalking victimization. Table 1 provides an overview of a number of empirical studies that have tested LRAT as an explanation for stalking victimization.

Stalking

Based on the findings from the studies included in Table 1, it appears that the extant research provides support for LRAT in explaining stalking victimization. However, the level of this support varies depending on the specific element of the theory in question, in addition to how that element was measured. Two studies (Fisher et al., 2002; Reyns, Henson, Fisher, Fox, & Nobles, 2016) found partial support for the effects of exposure, with at least one variable from each study being significantly and positively related to stalking victimization. In the

lone study to specifically measure proximity, results revealed that none of the associated variables had a significant relationship with stalking victimization (Fisher et al., 2002). Thus, exposure to motivated offenders significantly increased the risk of stalking victimization, while proximity did not have a significant impact.

The findings in Table 1 also suggest that across studies, guardianship was significantly related to stalking victimization. It is important to note, though, that many of these relationships were positive, which is contrary to theoretical expectations. These results suggest that increased guardianship increases the risk of stalking victimization. However, these findings are likely due to the cross-sectional nature of the research designs or measurement issues (see Hollis, Felson, & Welsh, 2013 for a discussion). In other words, it is possible that experiencing stalking victimization caused individuals to increase their guardianship behaviors (Reyns, Henson, & Fisher, 2016).

Finally, there is support for the target attractiveness concept being a significant predictor of stalking victimization. The two studies that specifically explored target attractiveness (Fisher et al., 2002; Reyns, Henson, & Fisher, 2016) found that nearly all of the variables created to capture this element of the theory were significant. However, it is important to note that there were inconsistencies in the findings as to the direction of the significant relationships. To explain, using a college student sample, Fisher et al. (2002) found that those who were involved in a committed relationship (regardless of length of time together), or dating someone, had a significantly increased risk of stalking victimization. Using an adult sample of residents in Canada, Reyns, Henson, Fisher, Fox, and Noble (2016), however, found that non-single women were significantly less likely to be stalked.

Collectively, the previously reviewed research has made important contributions to identifying and understanding the predictors of stalking victimization based on LRAT. However, because of differences in the manner in which each of the theoretical concepts were defined and measured across studies, it is difficult to reach firm conclusions as to which lifestyles and routine activities are the most important determinants of stalking victimization risk. Still, there appears to be at least moderate support for LRAT in explaining stalking victimization.

Cyberstalking

Despite the support for LRAT across numerous types of victimization, there has been discussion of its applicability to cybercrimes. This is largely due to the fact that victims and offenders do not converge in time and space as they would in a face-to-face encounter (Yar, 2005).

Instead of abandoning the ideas presented in LRAT, however, scholars have modified the perspective so that it can appropriately be applied to victimizations that occur in cyberspace. Reyns et al. (2011) developed the cyberlifestyle-routine activity theory, which suggests that while victims and offenders do not intersect in time and space in the traditional sense, there is an interaction through a system or network (i.e., cyberspace) and an eventual overlap in time. Table 2 provides an overview of some of the studies that have applied LRAT to cyberstalking victimization.

The findings from Reyns et al.'s (2011) study supported their new cyberlifestyle-routine activity perspective. At least one measure capturing each of the four elements of the theory was found to be significantly related to cyberstalking victimization. All significant relationships were in the expected direction, except for one of the guardianship measures. Specifically, the use of a profile tracker—a method of self-protection—was found to significantly increase the risk of cyberstalking victimization (Reyns et al., 2011). However, this finding may again be due to temporal ordering issues inherent in cross-sectional research designs, or difficulty with creating a valid and reliable measure of guardianship in an online context.

In another cyberstalking study, Reyns, Henson, and Fisher (2016) focused solely on the guardianship element of LRAT, due to inconsistent findings from previous research on the predictive ability of this concept. Including measures of both offline and online guardianship, the findings suggested that offline guardians were not effective at preventing online victimization. Further, those who indicated that their peers engaged in forms of online deviance were more likely to be victims of cyberstalking, suggesting a lack of capable guardianship online (Reyns, Henson, & Fisher, 2016).

Given the sparsity of LRAT research applied to cyberstalking victimization, it is premature to conclude whether it is an appropriate perspective for explaining this type of victimization. However, the previously reviewed research suggests that scholars should continue to utilize the theoretical perspective to identify risk factors for victimization.

Criminological Explanations of Stalking and Cyberstalking Victimization

In addition to LRAT reviewed above, there are several criminological theories that have been used to identify the predictors of stalking and cyberstalking victimization. The rationale for utilizing theories of crime to instead explain victimization rests in the assumption of a victim/offender overlap, and the possibility that victims and offenders

Table 2 Lifestyle–routine activity theory used in cyberstalking research.

Study Authors (date published)	Prevalence Rate	Theoretical Concept			
		Exposure to Victimization Risk	Proximity to Motivated Offender	Guardianship	Target Attractiveness
Reyns et al. (2011)	41% college students experienced cyberstalking in their lifetime	Time spent online (ns) Number of social networks***(+) Number of updates to social network (ns) Number of photos online (ns) Use AOL instant messenger**(+)	Add stranger****(+) Number of friends (ns) Friend service (ns)	Profile(s) set to private (ns) Use profile tracker***(+) Deviant peers****(+)	Composite measure (ns) Gender****(+) Relationship status (ns) Sexual orientation (ns)
Reyns, Henson, and Fisher (2016)	—	—	—	Lives with parents***(+) Lives with romantic partner (ns) Lives with other relatives (ns) Lives with student (ns) Lives with nonstudent (ns) Deviant peers****(+)	—
Reyns et al. (2018)	3.4% of female college students were cyberstalked during the academic year	Opportunity**** (+)			

** $p \leq .05$; *** $p \leq .01$; **** $p \leq .001$.
(+) = positive relationship, (–) = negative relationship, (ns) = not statistically significant.

may be cut from the same cloth (e.g., Pratt, Turanovic, Fox, & Wright, 2014; Schreck, Stewart, & Fisher, 2006; Stewart, Elifson, & Sterk, 2004). Criminological theories that have been used to explain stalking victimization include the general theory of crime, social learning theory, control balance theory, and life course theory.

General Theory of Crime

In 1990, Gottfredson and Hirschi published their general theory of crime, with the core argument being that those who possess low self-control have a greater likelihood of engaging in crime (Gottfredson & Hirschi, 1990). This perspective was not originally developed to explain victimization, but research has identified a link between low self-control and victimization risk. This began with Schreck's (1999) study, which conceptualized low self-control not as a criminal propensity, but as a vulnerability to victimization.

Fox, Gover, and Kaukinen (2009) is the one study that has applied this perspective to stalking victimization. Women with low self-control were significantly more likely to experience stalking victimization compared to those with high self-control. However, among men, the relationship between low self-control and stalking victimization was not significant (Fox et al., 2009). Thus, findings from this study indicate that the relationship between low self-control and stalking victimization may be gendered.

The general theory of crime has also been applied to cyberstalking victimization. Using a sample of college students, Reyns and colleagues (2013) found that low self-control was a significant predictor of the likelihood and frequency with which students experienced cyberstalking. Those students with low self-control were found to have a significantly higher likelihood of reporting two or more types of the cyberstalking behaviors in comparison to those with higher self-control (Reyns, Burek, Henson, & Fisher, 2013). Based on these findings, incorporating measures of low self-control into research on stalking and cyberstalking victimization may be important given the support for the general theory of crime in explaining these types of victimization.

Social Learning Theory

Social learning theory suggests that crime is caused by social forces, including differential association (behaviors of others), modeling (imitating the behaviors of others), differential reinforcement (cost and benefit analysis), and definitions (beliefs and values) (Akers, 1973). In sum, the argument is that crime is learned through interactions with intimate groups. As an example, individuals within a peer group may

imitate the behaviors of another delinquent peer group member. Eventually, as interactions with delinquent groups increase in frequency and importance, deviant behavior will be viewed as normal or advantageous.

Using a large sample of college students, Fox, Nobles, and Akers (2011) explored the impact that the four components of social learning theory had on stalking victimization. While social learning theory was designed to explain offending, the authors argued that "victims can also learn to adopt beliefs, behaviors, and perceptions that may put them at risk of victimization" (Fox, Nobles, & Akers 2011, p. 42). The findings revealed that differential peer reinforcement and differential association/modeling had positive relationships with stalking victimization, while favorable/unfavorable definitions had a significant negative relationship. These findings suggest that stalking victims were more likely to believe that their friends would react sympathetically to victimization, to have friends who were stalking victims, and to believe that stalking was sometimes acceptable, which provides some support for social learning theory (Fox, Nobles, & Akers 2011).

Control Balance Theory

In 1995, Tittle developed control balance theory, which incorporated independent theories into a general theory of deviance. According to this perspective, control is "the ability of an individual or other kind of social entity to manipulate or block social or other actions and circumstances … all people can be characterized globally and situationally by 'control ratios', which represent the total amount of control they exercise, relative to the control to which they are subject" (Tittle, 2004, p. 397). When the control exerted by an individual and the control subjected to an individual are equal, deviant behavior is unlikely. This is because deviant behavior is not necessary to escape or extend one's level of control. However, when the individual is either subjected to more control than they exert (control deficit) or exerts more control than subjected to (control surplus), deviant behavior results because it is a way to "escape deficits and extend surpluses of control" (Tittle, 1995, p. 142).

While control balance theory was developed as an explanation for deviant behavior, it has been suggested that it is appropriate for explaining victimization as well. Piquero and Hickman (2003) argued that control deficits and surpluses should result in increased risk of victimization. They explained that individuals with control deficits are vulnerable because they "do not have the confidence and/or skills to defend themselves" and those with control surpluses are more likely

to find themselves in risky situations as "they are likely to seek out more frequent and increasingly exciting or risky actions, situations, and events" (Piquero & Hickman, 2003, p. 286).

There is limited research utilizing this perspective, particularly as an explanation for victimization. However, using a large sample of college students, Nobles and Fox (2013) explored the link between control balance and stalking victimization. The findings revealed that when examining the control balance ratio in a relationship-specific context, only one measure capturing control balance theory was significant across both the full and gendered samples. Control deficit had a significant negative relationship with stalking victimization in the women-only sample. This suggests that women who experienced more severe relationship control deficits were more likely to be victims of stalking (Nobles & Fox, 2013). Results from this study provide conditional support for control balance theory in explaining stalking victimization.

Life Course Theory

The life course perspective examines involvement in crime over the course of an individual's lifetime (Sampson & Laub, 1995). This perspective focuses on patterns of involvement with crime that are related to participation, frequency, seriousness, and length of a criminal career. Much empirical support exists for explaining criminal offending from this perspective (e.g., Farrington, 2003; Piquero, Farrington, & Blumstein, 2003); however, its usefulness for explaining victimization—in particular stalking—has not been fully explored. Yet, as some individuals are repeatedly victimized across the life course and have been referred to as career victims, a life course perspective on stalking victimization may be of value—but only after being rigorously tested (Farrell, Tseloni, Wiersema, & Pease, 2001).

Applying a life course perspective, Nobles, Fox, Piquero, and Piquero (2009) investigated age of onset for stalking victimization, duration of stalking victimization, repeat stalking victimization, and desistance from stalking victimization. While the results from this study are descriptive in nature, they help fill gaps in what is known about the stalking experience. Regarding the onset of stalking victimization, the mean age was 19 years old. Most stalking experiences lasted 1 month, and most victims were only involved in single episodes (Nobles et al., 2009). Although this was not a direct "test" of the life course perspective, the results suggest the perspective may be a useful framework for future studies of stalking and cyberstalking victimization.

MULTI-THEORETICAL FRAMEWORKS

In contrast to the previously reviewed research studies that were each framed within a single theoretical tradition, scholars have also taken a multi-theoretical approach to explaining stalking and cyberstalking victimization. In two such studies, an integrated theoretical approach to explaining victimization appears fruitful.

Fox, Nobles, and Fisher (2016) took a multi-theoretical approach, which included self-control, social learning, and control balance theories, and argued that the three theoretical perspectives likely work collectively to explain stalking victimization more thoroughly. The results partially supported this argument. Measures of low self-control and social learning theory were significant; however, the results were gender specific. To explain, men with low self-control were at an increased risk of stalking victimization. Additionally, differential peer association (friends are stalking victims) was significantly and positively related to stalking victimization for both men and women. Differential reinforcement (friends' reactions to you being stalked), peer definitions (your reaction to friends being stalked), and definitions balance (level of agreement to it being okay to stalk someone) were also statistically significant in the female model. Finally, none of the variables measuring control balance theory concepts were found to significantly predict stalking victimization for men or women (Fox et al., 2016). Consistent with previous research, there is support for the general theory of crime and social learning theory, but this support is gender-based.

Reyns et al. (2018) also utilized a multi-theoretical approach to explain cyberstalking victimization in a sample of college women. This study tested the direct and indirect effects of low self-control, opportunity, and control imbalances upon victimization risk. Significant direct effects were observed for both opportunity (opportunity theory) and having a control deficit (control balance theory) on cyberstalking victimization. Moreover, low self-control impacted cyberstalking victimization in an indirect manner through its influence on both opportunity and control deficits, supporting their proposed path model (Reyns et al., 2018).

A number of theoretical perspectives, spanning the fields of victimology and criminology, have been applied to stalking and cyberstalking victimization in an attempt to identify relevant predictors. Based on the reviews provided above, at least partial support is provided for each of the theories. However, no one theory, or combination of theories, has received full support as an explanation for either stalking or cyberstalking victimization.

FUTURE DIRECTIONS FOR RESEARCH

While the three decades of research on stalking and cyberstalking victimization has resulted in discussing conceptual and definitional issues, measuring prevalence, and empirical testing of several theories, many questions remain unanswered, including some unresolved measurement and theoretical issues. We propose four primary directions for future researchers to pursue.

First, to date, much of the stalking and cyberstalking research has developed as two separate parallel bodies of inquiry, despite cyberstalking being legally and conceptually defined as a subcategory of stalking (see Nobles et al., 2014). Perhaps more in line with the 2016 SVS, stalking by the use of electronic technology should be included as one of the tactics or behaviors used to operationalize stalking. In this way, those who only experience stalking tactics, those who only experience cyberstalking tactics, and those who experience both types of tactics can be classified as such and studied to determine how and why the respective victims are similar or different (e.g., gender, age, duration of experience, frequency of experience, reporting behavior, victim–perpetrator relationship, health, and financial consequences).

Second, the research community should consider having a special issue of a journal devoted to ideas about how to conceptualize and operationalize both the tactics and behaviors that constitute stalking and cyberstalking, as well as the fear or emotional distress standard. This hopefully will lead to the development of valid and reliable measures, allowing for a better understanding of the victimization and the ability to compare findings across studies.

Third, preliminary research suggests stalking and cyberstalking victimization may be linked to one another, with one leading to the other (Reyns & Fisher, Forthcoming). Moreover, stalking and cyberstalking victimization may also be linked to other types of victimization, particularly domestic violence, dating violence, and sexual assault (e.g., Burgess et al., 1997; Logan, Shannon, & Cole, 2007; Nobles et al., 2009). Future research needs to explore these links in order to gain a better understanding of the co-occurrence of stalking and cyberstalking victimization with other interpersonal types of victimization.

Finally, as no one theoretical perspective has received strong support in predicting and explaining stalking and/or cyberstalking victimization, more attention should be dedicated to applying other theories, perhaps even ones outside criminology and victimology. Doing so will assist in identifying the relevant predictors that increase and decrease the risk of experiencing stalking and cyberstalking victimization. Accomplishing these focal points for future research will assist in

better understanding key conceptual, definitional, prevalence, and theoretical issues underlying stalking and cyberstalking victimization. This will advance the scientific study of these types of victimization, allowing the results to better inform both prevention and intervention strategies.

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Racial Differences in Stalking Victimization, Police Reporting, and Coping Strategies among White, Black, and Asian Americans

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INTRODUCTION

According to recent crime statistics in the United States, 70.2% of all adults arrested in 2016 were Whites, 26.2% were Blacks, but only 1.2% were Asians (U.S. Department of Justice, 2017a). Victimization statistics for the above racial groups show a similar pattern with Asians, Native Hawaiians, and other Pacific Islanders reporting a much lower rate of violent victimization (13.9 victimizations per 1,000 persons) relative to the rates for Whites (20.5 victimizations per 1,000 persons) and Blacks (24.1 victimizations per 1,000 persons; Morgan & Kena, 2017). Likewise, recent statistics on hate crime reveal that in 2016, while 50.2% of all victims were victims of anti-Black bias and 20.5% of all victims were victims of anti-White bias, only 3.1% of all victims were victims of anti-Asian bias (U.S. Department of Justice, 2017b).

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While to date, the low crime and victimization rates among Asian Americans relative to other racial groups are well documented, the victimization rate for the crime of stalking among Asian Americans is not well known. Stalking became a criminal offense in the United States in 1990 when California enacted an anti-stalking statute. Stalking is more prevalent than previously thought. Estimates from general population samples reveal that between 5 and 20% of adults in the United States have experienced stalking in their lifetime (Basile, Swahn, Chen, & Saltzman, 2006; Catalano, 2012; Spitzberg & Cupach, 2014; Tjaden & Thoennes, 1998). The prevalence rate of stalking is even higher among college students, ranging between 7% and 28% (Belknap & Sharma, 2014; Nobles & Fox, 2013). The psychological, economical, and social impacts that stalking victims have to endure are also substantial and dire (Baum, Catalano, Rand, & Rose, 2009; Blaauw, Winkel, Arensman, Sheridan, & Freeve, 2002; Davis, Coker, & Sanderson, 2002; Purcell, Pathé, & Mullen, 2002; Spitzberg & Cupach, 2014). Notably, stalking is a crime that disproportionally affects women (Baum et al., 2009; Spitzberg & Cupach, 2014; Tjaden & Thoennes, 1998).

Stalking has been identified as a risk factor for severe and lethal intimate partner violence (IPV) in prior studies (McFarlane et al., 1999; Storey, Hart, Meloy, & Reavis, 2009; Thompson, Dennison, & Stewart, 2012; Spitzberg & Cupach, 2014; Tjaden & Thoennes, 1998). Prior research also reveals that Asian immigrant women are among the groups disproportionately affected by the epidemic of IPV (Raj & Silverman, 2003; Rhee, 1997; Song, 1996; Yoshioka & Dang, 2000). Asian immigrant women are also consistently over-represented in intimate partner femicide (Asian and Pacific Islander Institute on Domestic Violence, 2005). Given the strong link between stalking and severe IPV and the evidence that Asian women have a heightened vulnerability of becoming a victim of IPV, examining the scope, nature, and related social factors of stalking among Asian American victims is essential and warranted.

The purpose of this study is to fill the current void in the existing literature by exploring the prevalence, nature, and victim help-seeking behaviors for the crime of stalking using a sample of Asian victims. This study also compares findings generated from the Asian sample with those from White and Black samples. Specifically, this study seeks to uncover potential racial differences in terms of victim characteristics (age, gender, marital status), offender characteristics (gender, race), incident characteristics (type of stalking experienced, victim–offender relationship, intimidation, physical injury), and formal and informal coping strategies (police reporting, enlisting help from others, changing

daily activities, etc.) among White, Black, and Asian stalking victims. Given that scant attention has been paid to Asian victims of stalking and the dearth of research examining racial differences on stalking victimization and victim help-seeking behaviors, findings from this study will help expand the scholarship on stalking, IPV, and victimology.

STALKING VICTIMIZATION

Stalking captured a great deal of public attention in the United States in 1989 when Rebecca Schaeffer, a Hollywood actress, was shot to death by an obsessed fan who stalked her for almost two years. The brutal murder of Ms. Schaeffer and subsequent murders of four other women in Orange County, California, each by a former boyfriend or husband, led to the very first anti-stalking passage enacted by the California legislature in 1990. Today, all 50 states, the District of Columbia, and the federal government have legislation addressing the crime of stalking (Tjaden, 2009). Stalking can be difficult to define because it consists of a series of often-legal behavior such as emailing, leaving phone messages, and giving gifts. Further, currently, there is no agreed-upon definition of stalking and legal definitions of stalking vary from state to state. Notwithstanding this fact, stalking generally refers to repeated, unwanted (usually non-physical) contact imposed on another in a manner which could be expected to cause distress and/or fear in any reasonable person (Mullen, Pathé, & Purcell, 2009; Tjaden & Thoennes, 1998).

Since the mid-1990s, several large-scale studies on stalking have been conducted in the United States. The first study, the National Violence Against Women (NVAW) Survey, was conducted from November 1995 to May 1996 and involved telephone interviews with 8,000 adult men and 8,000 adult women (Tjaden & Thoennes, 1998). The second study, the Stalking Victimization Supplement (SVS), was conducted in 2006 as a one-time supplement to the annual National Crime Victimization Survey (NCVS) and involved approximately 65,270 individuals age 18 and older (Baum et al., 2009). The most recent study, the National Intimate Partner and Sexual Violence Survey (NISVS), was conducted from January 2010 to December 2010 and involved telephone interviews with 9,970 women and 8,079 men (Black, Basile, et al., 2011). All three studies were designed to measure the prevalence, characteristics, and consequences of nonfatal stalking.

Findings from the above studies reveal that the majority of stalking victims are females and the majority of stalkers are males. Additionally, the likelihood of becoming a victim of stalking tends to decrease with age

but individuals who are separated or divorced have the greatest risk of becoming a victim relative to individuals of other marital status (Basile et al., 2006; Baum et al., 2009). Also, for both male and female victims, stalking is usually committed by individuals they knew or with whom they had a relationship. The evidence also suggests that a substantial number of female victims are stalked by a current or former intimate partner, while about an equal number of male victims are stalked by either an intimate partner or acquaintance (Black et al., 2011).

RACIAL DIFFERENCES IN STALKING VICTIMIZATION

According to existing evidence, multiracial and American Indian/Alaska Native women have a higher risk of becoming a victim of stalking relative to White, Black, and Hispanic women. Findings from the NISVS reveal that one in three multiracial non-Hispanic women and one in four American Indian/Alaska Native women were stalked at some points during their lives versus one in five Black non-Hispanic women, one in six White non-Hispanic women, and one in seven Hispanic women (Black et al., 2011).

However, one limitation noted by researchers studying stalking is the lack of specificity when comparing victimization rates among individuals of different racial and ethnic backgrounds. Specifically, these researchers have pointed out how the combination of data on all types of minorities in their studies may have obscured important differences in stalking prevalence rates for men and women of different racial backgrounds. These researchers have also cautioned over the interpretation of their findings pertaining to American Indian/Alaska Native stalking victims because data on these two groups were combined while, in fact, there may be significant differences in rates of stalking victimization among women of diverse American Indian tribes and Alaska Native communities (Tjaden & Thoennes, 1998).

A similar dilemma also applies to Asian stalking victims in that Asian respondents in prior studies on stalking were often included with Pacific Islanders as a racial group. Moreover, the sample size for Asians and Pacific Islanders in prior research was very small. Also, because few Asian and Pacific Islander men and women reported that they were stalked, testing for statistically significant differences between the Asian/Pacific Islander groups and other racial groups was often not feasible. Notwithstanding this fact, estimates derived from large-scale studies on stalking suggest that Asians/Pacific Islanders have a much lower risk of becoming a victim of stalking (7 victimizations per 1,000 persons) relative to American Indians/Alaska Natives (19.6 victimiza-

tions per 1,000 persons), Whites (14.2 victimizations per 1,000 persons), Blacks (12.2 victimizations per 1,000 persons), Hispanics (10.6 victimizations per 1,000 persons), and multiracial individuals (31.6 victimizations per 1,000 persons; Black et al., 2011).

RACIAL DIFFERENCES IN HELP-SEEKING BEHAVIORS AMONG STALKING VICTIMS

To cope with their victimization, crime victims tend to employ a range of strategies and tactics. In addition to formal tactics such as contacting the police, obtaining a restraining order, and filing charges against the perpetrator, victims also turn to informal strategies which include enlisting the help of family or friends, avoiding certain people and places, and changing jobs or schools. Pertaining to the crime of stalking, findings from large-scale studies indicate that about half of all staking cases get reported to law enforcement, approximately one-fifth of victims file charges against the stalker, and less than one-third of victims seek a protective or restraining order against the perpetrator (Baum et al., 2009).

With regard to informal help-seeking behaviors, the evidence indicates that the most common strategies employed by victims include changing their usual activities outside of work and school, seeking help from family and friends, and installing caller ID or call blocking. On the other hand, the least common actions taken by stalking victims are altering one's appearance and obtaining pepper spray, a gun, or some other type of weapon (Baum et al., 2009).

Currently, very little is known regarding help-seeking behaviors among Asian victims of stalking. However, findings from prior studies on IPV and domestic violence suggest that Asian victims are less likely to seek social and treatment services relative to White, Black, and Latino victims (Cho & Kim, 2012; Han & Pong, 2015; Lee & Hadeed, 2009; Yamashiro & Matsuoka, 1997). Further, the decision to reach out for help among Asian victims of domestic violence is diverse and complicated and appears to be influenced by various structural, cultural, and organizational factors (Bui, 2003). Evidence also suggests that Asian immigrant victims of domestic violence often confront multiple barriers when obtaining help and these barriers also hinder them from receiving appropriate services and law enforcement protection (Lee & Hadeed, 2009). Prior research on IPV and domestic violence also stresses the need for more research examining the role that gender, race, and class play in shaping the complexities of Asian victims' experiences with IPV and domestic violence (Bui, 2003; Lee & Hadeed, 2009; Raj & Silverman, 2003; Yoshioka & Dang, 2000).

To address the current gaps in the literature, this study examines the prevalence and nature of, and help-seeking behaviors for, the crime of stalking using samples of Asian, White, and Black victims. This study also seeks to uncover potential racial differences in terms of victim characteristics (age, gender, marital status), offender characteristics (gender, race), incident characteristics (type of stalking experienced, victim–offender relationship, intimidation, physical injury), and formal and informal coping strategies (police reporting, enlisting help from others, changing daily activities, etc.) among White, Black, and Asian victims of stalking.

DATA AND METHODS

Data for the current study came from the 2006 SVS of the NCVS (for further details on the NCVS data collection and methodology, see Lynch & Addington, 2006). As stated previously, the 2006 SVS was a one-time supplement to the annual NCVS and administered to approximately 65,270 individuals aged 18 and older. The SVS was designed to measure the prevalence, characteristics, and consequences of nonfatal stalking in the United States (for further details on the SVS data collection and methodology, see Baum et al., 2009; Catalano, 2012).

SAMPLE

To identify victims of stalking, this study employed the behavioral conceptual definition which has been adopted by prior researchers (Ngo, 2014; Ngo & Paternoster, 2016; Reyns & Englebrecht, 2014; Spitzberg & Cupach, 2014). Using the checklist of unwanted or harassing behaviors of the 2006 SVS, individuals were identified as victims of stalking if they indicated that they experienced any of the unwanted or harassing activities (i.e., being followed or spied on; someone waiting outside/inside their home, school, workplace; receiving unwanted phone calls or messages; etc.) on more than one occasion and that these activities also frightened, concerned, angered, or annoyed them.

A total of 1,599 respondents met the above criteria and from this original sample, three sub-samples were constructed for the current study: White victims, Black victims, and Asian victims (Asian victims in the current study include respondents who checked the "Asian Only" box for the Race variable on the 2006 SVS). Table 1 displays the demographic

Table 1 Descriptive statistics and proportion/mean-difference test.[a]

	Mean (S.D.)	Mean (S.D.)	Mean (S.D.)
Victim Characteristics	Asian (N = 38)	White (N = 1,367)	Black (N = 138)
Age	35 (11.48)	42 (15.11)	38 (14.81)
Gender (1 = Female; 0 = Male)	0.68 (0.47)	0.66 (0.47)	0.69 (0.46)
Marital Status (1 = married; 2 = separated/divorced; 3 = single/widow)	2.21 (0.96)	1.90 (0.87)*	2.35 (0.80)***
Offender Characteristics	Asian (N = 17)	White (N = 811)	Black (N = 94)
Gender (1 = Male; 0 = Female)	0.88 (0.34)	0.64 (0.48)	0.57 (0.50)***
Race (1 = same race; 0 = other race)	0.47 (0.96)	0.83 (0.67)*	0.66 (0.55)*
Incident Characteristics	Asian (N = 38)	White (N = 1,367)	Black (N = 138)
Stalking Type (1 = approach; 2 = non-approach; 3 = both)	1.97 (0.82)	2.08 (0.84)**	2.19 (0.89)***
Offender-Victim Relationship (1 = intimate; 2 = family; 3 = acquaintance; 4 = stranger)	2.73 (0.96)	2.41 (0.99)	2.42 (1.10)
Intimidation (1 = yes; 0 = no)	0.19 (0.40)	0.27 (0.45)	0.28 (0.45)
Physical Injury (1 = yes; 0 = no)	0.0 (0.00)	0.38 (1.91)**	0.09 (0.28)
Informal Coping Strategies	Asian (N = 38)	White (N = 1,367)	Black (N = 138)
Move (1 = yes; 0 = no)	0.07 (0.27)	0.11 (0.31)	0.13 (0.34)
Change Daily Activities (1 = yes; 0 = no)	0.33 (0.48)	0.36 (0.48)	0.39 (0.49)
Take Protective Measures (1 = yes; 0 = no)	0.37 (0.49)	0.31(0.46)	0.34 (0.48)
Enlist Help from Others (1 = yes; 0 = no)	0.41 (0.50)	0.59 (0.49)	0.56 (0.50)
Multiple Strategies (1 = yes; 0 = no)	0.30 (0.47)	0.42 (0.49)	0.48 (0.50)
Formal Coping Strategies	Asian (N = 38)	White (N = 1,367)	Black (N = 138)
Police Reporting (1 = yes; 0 = no)	0.22 (0.42)	0.28 (0.45)	0.34 (0.48)

*$p < .001$; **$p < .01$; ***$p < .05$.

[a] Mean-difference test was conducted for the variable "Age." Chi-square analyses were conducted for all remaining variables.

characteristics of the three samples. According to Table 1, the majority of the victims in all three racial groups were females, the mean age for the three groups ranged from 35 to 42 years, and many of the White victims were married while many of the Black and Asian victims were single or widowed. The results from Table 1 also show the demographic characteristics of the perpetrators. According to the results, the majority of the victims in all three racial groups were stalked by a male, and more White and Black victims were stalked by an individual of the same race relative to Asian victims.

MEASURES

Incident Characteristics

Four measures of incident characteristics (*Victim–Offender Relationship, Intimidation, Physical Injury,* and *Stalking Type*) were constructed for the study. The measure of *Victim–Offender Relationship* was created using victims' responses to the question, "What was the relationship of the person who did (this/these) things to you when the contacts or behavior first began?" The response options include spouse, ex-spouse, boyfriend or girlfriend, ex-boyfriend or ex-girlfriend, parent or step-parent, own child or step-child, brother/sister, step-brother/step-sister, other relatives, friend or ex-friend, roommate or housemate, schoolmate, neighbor, customer/client, student, patient, co-worker, supervisor, acquaintance, and stranger. The responses were combined to create four categories for the variable *Victim–Offender Relationship* with 1 = intimate perpetrator (i.e., current and former spouse, boyfriend/ex-boyfriend, and girlfriend/ex-girlfriend), 2 = family perpetrator (i.e., parent or step-parent, own child or step-child, brother/sister, step-brother/step-sister, other relatives), 3 = acquaintance perpetrator (i.e., friend or ex-friend, roommate or housemate, schoolmate, neighbor, customer/client, student, patient, co-worker, supervisor, and acquaintance), and 4 = stranger perpetrator (i.e., stranger). The descriptive statistics for the above measure for the three racial groups are listed in Table 1.

To construct the measure of *Intimidation,* victims' responses to the question, "In order to frighten or intimidate you, did this person attack or attempt to attack a child, another family member, a friend or co-worker, a pet," were combined and recoded into a dichotomous variable with 1 = the stalker intimidated the victim or someone close to the victim and 0 = the stalker did not intimidate the victim or someone close to the victim. Likewise, to create the measure of *Physical Injury,* victims' responses to the question "What were the physical injuries you

suffered," were combined and recoded into a dichotomous variable with 1 = the victim suffered from physical injuries and 0 = the victim did not suffer any physical injuries. The descriptive statistics for the above measures for the three racial groups are provided in Table 1.

Given the evidence that female victims are more likely than male victims to experience certain types of stalking behaviors (i.e., "approach stalking;" see Ngo and Paternoster, 2013), a measure of *Stalking Type* was created for the study. Specifically, respondents were asked if they had experienced any of the following activities: (a) being followed and spied on; (b) someone waiting outside or inside their home/school/workplace; (c) someone showing up at places where they were even though the person had no business of being there; (d) someone leaving unwanted items, presents, flowers; (e) receiving unwanted phone calls and unwanted phone messages; (f) receiving unsolicited letter/emails/other form of written communication; and (g) someone posting information or spreading rumors about them online and offline. Responses for the above items were coded 1 = Yes and 0 = No and items 1 through 3 were combined to create the indicator of "approach stalking" while items 4 through 7 were combined to create the indicator of "non-approach stalking." These two indicators, "approach stalking" and "non-approach stalking," were then combined and recoded to create the variable of *Staking Type* with 1 = the victim experienced approach stalking, 2 = the victim experienced non-approach stalking, and 3 = the victim experienced both approach and non-approach stalking. The descriptive statistics for the variable *Stalking Type* for the three racial groups are provided in Table 1.

Informal and Formal Coping Strategies

Six measures consisting of five informal coping strategies (*Move, Change Daily Activities, Take Protective Measure, Enlist Help from Others,* and *Multiple Strategies*) and one formal strategy (*Police Reporting*) were created for the study. Respondents were asked if they had to move residence as a result of their victimization (*Move*), change their day-to-day activities such as taking time off from work/school, change or quit a job/school, avoid relatives, friends, or holiday celebrations (*Change Daily Activities*), take protective measures such as getting a gun, take self-defense classes, change their telephone numbers (*Take Protective Measures*), enlist the help from others such as friends, an attorney, or a family member to protect themselves (*Enlist Help of Others*), or report their victimization to the police (*Report to Police*). The above measures were coded with 1 = the victim employed this strategy and 0 = the victim did not employ this strategy. Further, the informal coping measures

(*Move, Change Daily Activities, Take Protective Measure, Enlist Help from Others,* and *Multiple Informal Strategies*) were combined to create the *Multiple Strategies* variable with 1 = the victim employed more than one informal strategy and 0 = the victim employed only one strategy. The descriptive statistics for the above measures for the three racial groups are presented in Table 1.

ANALYTIC STRATEGY

To assess racial differences in stalking victimization and help-seeking behaviors among White, Black, and Asian victims, a series of chi-square tests and mean-difference tests across the racial groups for all of the measures was conducted. Specifically, to determine whether or not Asian victims differ from White and Black victims in terms of victim characteristics (age, gender, marital status), offender characteristics (gender, race), incident characteristics (type of stalking experienced, victim–offender relationship, intimidation, physical injury), and formal and informal coping strategies (police reporting, enlist help from others, change daily activities, etc.), two sets of analyses were conducted with the first analysis comparing Asian victims with White victims and the second analysis comparing Asian victims with Black victims. All analyses were performed using SPSS Version 24.0.

RESULTS

Table 1 displays the results for the proportion and mean-difference tests for all of the measures between Asian and White victims (columns 2 and 3 of Table 1) and between Asian and Black victims (columns 2 and 4 of Table 1). With regard to the victim characteristic measures (*Age, Gender,* and *Marital Status*), the results from Table 1 indicate that while Asian victims did not differ significantly from White and Black victims in terms of age and gender, Asian victims differed significantly from White and Black victims in terms of marital status (Table 1).

Pertaining to the offender characteristic measures (*Gender* and *Race*), the results from Table 1 indicate that relative to Black victims, Asian victims were more likely to be stalked by a male of a different race. A similar pattern appears to emerge for Asian and White victims albeit the variable *Gender* did not quite reach statistical significance ($p = .052$). With regard to the incident characteristic measures (*Stalking Type,*

Victim–Offender Relationship, Intimidation, and *Physical Injury*), the results from Table 1 reveal that Asian and White victims differed significantly in terms of stalking type and physical injuries while Asian and Black victims only differed with regard to the measure of stalking type (Table 1). Relative to White and Black victims, Asian victims were more likely to experience both approach and non-approach stalking and relative to White victims, Asian victims were less likely to suffer injuries (Table 1).

As for the informal (*Move, Change Daily Activities, Take Protective Measures, Enlist Help from Others,* and *Multiple Strategies*) and formal coping measures (*Police Reporting*), the results from Table 1 indicate that there were no significant differences in terms of police reportage and informal help-seeking behaviors between Asian and White victims as well as between Asian and Black victims. However, it is noteworthy that although the difference in terms of enlisting help from others between Asian and White victims did not quite reach statistical significance ($p = .052$), Asian victims appeared to be less likely to seek help from family and friends to cope with their victimization relative to White victims (59.4% of White victims versus 40.7% of Asian victims reported that they sought help from family and friends; results not shown).

DISCUSSION AND CONCLUSION

In the United States, the low offending and victimization rates among Asian Americans relative to other racial groups are well documented (Morgan & Kena, 2017; U.S. Department of Justice, 2017a). Asian Americans are also known to be under-represented in federal and state prisons in comparison to Whites, Blacks, and Hispanics (West et al. 2010). However, researchers and scholars who conduct research using Asian samples have noted that Asian Americans are perhaps the "least understood" racial category within the research enterprise (see e.g., Nopper, 2014). The above statement can be attributed to a number of limitations inherent in existing data sources from which findings and results are generated. First, the term "Asian American" generally encompasses a variety of ethnic subgroups (Chinese, Japanese, Korean, Vietnamese, Indian, Cambodian, etc.) that differ in immigration history, cultures, religions, and demographic characteristics (Chang, Shen, & Takeuchi, 2009). Second, Asians are often grouped together with Pacific Islanders in prior research in spite of the fact that the two groups vary widely in terms of migration experiences, cultural assimilation, world

views, and values (Yamashiro & Matsuoka, 2009). Third, relative to Whites, Blacks, and Latinos, Asians and Pacific Islanders are often under-represented in prior research (but see Alegria et al., 2004) and due to their small numbers, statistical comparisons between Asians/Pacific Islanders and other racial groups are usually not feasible.

There is also evidence that criminal incidents committed against Asian Americans are under-reported. For instance, pertaining to the crime of IPV, findings from prior research not only suggest that Asian immigrant women are disproportionally affected by this type of crime (Raj & Silverman, 2003; Rhee, 1997; Song, 1996; Yoshioka & Dang, 2000), but also that IPV victimization appears to be gravely under-reported in the Asian American population possibly due to the internalization of traditional sex-role expectations that attribute greater stigma to being a victim of violence than a perpetrator of violence (Chang et al., 2009). Research evidence also suggests that Asian victims tend to encounter multiple barriers when seeking legal and informal help (Lee & Hadeed, 2009), as well as the decision to seek help among Asian victims being influenced by various structural, cultural, and organizational factors (Bui, 2003; Cho & Kim, 2012; Yamashiro and Matsuoka, 2009). Accordingly, more research focusing on making Asian Americans as "well understood" as other racial groups in terms of their victimization risks, coping responses, and decision making is crucial and warranted.

The current study represents a direct response to the call for more research examining the nature, scope, and coping responses to criminal victimizations among Asian Americans. Since stalking has been identified as a correlate for severe and lethal IPV (McFarlane et al., 1999; Storey et al., 2009; Thompson et al., 2012) and Asian immigrant women have a heightened vulnerability to IPV victimization (Raj & Silverman, 2003; Rhee, 1997; Song, 1996; Yoshioka & Dang, 2000), this study sought to explore the prevalence and nature of stalking and help-seeking behaviors among Asian stalking victims. This study also examined racial differences in prevalence, nature, and help-seeking behaviors between White and Asian victims and between Black and Asian victims. Findings from this study will not only help expand the scholarship on stalking and IPV, they will also make a valuable contribution to the literature on domestic violence because stalking has been conceptualized as an extension or continuation of domestic violence after a relationship has ended (Melton, 2004, 2007). More specifically, although certain criminal justice interventions, particularly arresting the perpetrator, have been found to be effective in deterring domestic violence offenders from reoffending (Sherman & Berk, 1984), a substantial number of domestic violence offenders continue to inflict abuse on their victims by

engaging in behaviors that are less likely to be defined as criminal, such as stalking (Melton, 2004, 2007). Hence, unless the stalking cycle is disrupted, victims of stalking and domestic violence could get trapped in the web of "interpersonal terrorism" for a very long time (Spitzberg & Cupach, 2014).

The results generated from this study reveal several notable differences between Asian and White victims and between Asian and Black victims. First, the author found that Asian victims differed significantly from White victims in terms of marital status. Relative to White victims, Asian victims who were single or widowed had higher risks of becoming a victim of stalking (columns 2 and 3 of Table 1). A similar finding also emerged in the comparison between Asian and Black victims. Asian victims differed significantly from Black victims in terms of marital status in that relative to Black victims, Asian victims who were single or widowed also had higher risks of becoming a victim of stalking (columns 2 and 4 of Table 1). It is noteworthy that the above findings not only contradict previous evidence that individuals who are separated or divorced have a heightened vulnerability to stalking victimization relative to individuals of other marital status (Baum et al., 2009; Tjaden & Thoennes, 1998), they also point to the need for additional research to determine the exact link between marital status and stalking victimization in the Asian American population.

Second, the author uncovered significant differences between Asian and White victims and between Asian and Black victims with regard to the race of their stalkers. Relative to White and Black victims, Asian victims were significantly more likely to be stalked by an individual of a different race (Table 1). This finding appears to be aligned with the broader evidence on racial differences in violent victimization in that when the race of the offender is identified, violent victimizations for Whites and Blacks appear to be largely intraracial while violent victimizations for American Indians and Asians seem to be primarily interracial (Morgan & Kena, 2017).

Third, the author found important racial differences between Asian and Black victims in terms of the gender of the stalker. Relative to Black victims, Asian victims were significantly *less* likely to be stalked by a female stalker. It is noteworthy that a similar pattern also emerged in the comparison between Whites and Asians, but the difference did not reach quite statistical significance ($p = .052$). This finding is an essential topic for future exploration given that there is a dearth of research on same-sex stalking (but see Ngo, 2018; Sheridan, North, & Scott, 2014; Strand & McEwan, 2011).

Fourth, the author found differences between White and Asian victims and between Black and Asian victims with regard to stalking

behavior. Relative to White and Black victims, Asian victims were significantly more likely to experience both approach and non-approach stalking (Table 1). This finding warrants further exploration and examination because stalking encompasses an immense range of conduct and, currently, very little is known about the specific dimensions of stalking (i.e., onset, duration, frequency, sequential, escalation, desistance, etc.) and the relationship between threats and violence and stalking types (Spitzberg & Cupach, 2014). Fifth, the author discovered that relative to White victims, Asian victims were significantly *less* likely to suffer physical injuries (Table 1). However, this finding should be interpreted with caution because the number of victims with physical injuries in both White and Asian groups were very small (8.7 and 3.8% respectively; results not shown).

Finally, another finding worth commenting on is the comparisons between Asian and White victims and between Asian and Black victims in terms of formal (*Police Reporting*) and informal coping strategies (*Move, Change Daily Activities, Take Protective Measures, Enlist Help from Others,* and *Multiple Strategies*). Although the results (Table 1) indicate that White, Black, and Asian victims did not differ significantly in their help-seeking behaviors, Asian victims appeared to be less likely than White victims to seek help from family and friends to cope with their victimization ($p = 0.52$). Also, the number of victims in each of the three racial groups who reported their victimization to law enforcement was notably low (Table 1). The above findings are concerning because when victims of stalking who may be in serious danger choose not to seek help, they could put their lives in jeopardy. The author recommends future research to examine racial differences in the correlates of police reporting as well as the effectiveness of subsequent police responses to the crime of stalking among White, Black, and Asian victims.

It is instructive that this study is not without limitations. Because the current study draws data from the 2006 SVS and this supplemental survey is linked to the NCVS, hence it also possesses the same shortcomings associated with the NCVS, including proxy interviews, false reports, over-reporting and/or under-reporting, telescoping, and memory failure and decay. Further, the sample size of Asian victims in the current study was very small ($N = 38$; Table 1). Thus, research studies involving larger samples of Asian victims are warranted. Also, given that the Asian American population consists of a variety of ethnic subgroups of individuals of "Asian descent," future research should explore ethnic differences in stalking victimization within this population. Future research should also examine differences in stalking victimization and help-seeking behaviors between foreign born and native Asian

Americans, with a particular emphasis on factors and barriers that may prevent or hinder victims in the Asian American population from bringing their victimization to the attention of law enforcement. The current study also employed victim-reported quantitative data and cross-sectional data. As a result, no information on contextual factors was available to aid with the interpretation of the results. Future research should consider both quantitative and qualitative data, self-reported and official data, and longitudinal data to comprehensively examine racial differences in the nature, scope, and consequences, and victim help-seeking behaviors in relation to the crime of stalking.

Notwithstanding the above limitations, this study represents an important exploratory examination of racial differences on stalking victimization and victims' help-seeking behaviors. This topic warrants further research and attention because not only is stalking a serious criminal offense and significant social, public health, and criminal justice issue, it also affects men and women of all racial and ethnic groups.

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3

Ex-Partner Stalking in Finland: Children as Knowing Agents in Parental Stalking

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INTRODUCTION

Previous research has demonstrated the seriousness of stalking after the breakup of an intimate relationship. Stalking has serious negative consequences for victims and therefore requires multidimensional psychosocial and criminological approaches at the individual level and at the societal intervention level (e.g., Logan, Shannon, & Cole, 2007; Logan & Walker, 2010; Sheridan, Blaauw, & Davies, 2003). In this chapter, we explore Finnish children's experiences of parental ex-partner stalking by focusing on cases where the father or stepfather stalks the mother and children. Although our knowledge concerning children's exposure to violence in their families has increased during the most recent decades, their experiences have received very little attention within stalking research.

We define stalking as intense and pursuing behavior that consists of repeated acts. It involves a spectrum of violent and non-violent acts, and victims experience coercion and control. Stalking induces fear, emotional distress, physical harm, and social problems among its victims (Mechanic, 2002; Mullen, Pathé, & Purcell, 2000). Even if the main

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target is the mother, the children may also perceive the stalking acts as distressing and threatening. Moreover, stalking victimizes children emotionally, socially, and/or physically (Nikupeteri & Laitinen, 2015). If the father or stepfather stalks the mother, it creates an environment that victimizes the children—one in which they may be directly abused by the stalker or used as an indirect means to terrorize the mother (Logan & Walker, 2010; Nikupeteri & Laitinen, 2015).

We focus on children as agents with an aim of increasing our understanding of children's knowledge and agency in parental stalking. Although stalking constrains the context in which children can act and exercise their agency, we lean on the notion that children are active agents who have knowledge, a need to act, and a wish to be treated as agents (e.g., Mullender et al., 2002; Överlien & Hyden, 2009). Studies adhering to the ideas of the new sociology of childhood show that children are acting subjects and take different positions in their kinship relations when there is violence in the family (e.g., Eriksson, 2012). Children can withstand and take an active role in violent incidents, they can seek help, and they can protect their abused parent and siblings. They can also use relational resources for coping with violence in their homes (Callaghan, Alexander, Sixsmith, & Fellin, 2016; Mullender et al., 2002), employ various coping strategies, and act as their abused parent's recovery promoters (Katz, 2015). Moreover, children's agency extends beyond the sphere of home and family, as they are also able to question and resist cultural codes and norms embedded in family relationships (Forsberg, 2005). They can also question institutional practices and point out problematic issues in shelter rules and practices (Överlien, 2011).

Our study is based on an ongoing, larger project named Children's Knowing Agency in Private, Multiprofessional, and Societal Settings—the Case of Parental Stalking (CAPS).[1] In the present study, we investigate (a) children's knowledge about parental stalking and (b) the action that this knowledge induces in them. We argue that to recognize children's needs and to help them in instances of parental stalking, professionals in the social and health services and judicial officials should take into account children's experiences in a more nuanced way and recognize children as knowing agents in these situations.[2]

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[1] The project is funded by the Academy of Finland (No. 308470). The website of the project is www.ulapland.fi/caps.

[2] We have analyzed children's knowing agency previously (Laitinen, Nikupeteri, & Hurtig, 2018) and continue the analysis in this chapter on the basis of Giddens's theorizations.

In the sections that follow, we first outline Finland as our research context. Thereafter, we describe our data and analysis. Based on the analysis, we provide the following five overlapping dimensions of children's knowledge and action: (a) adapting and withdrawing, (b) vacillating, (c) supportive and constructive, (d) responsible and evaluating, and (e) critical and change-seeking. We conclude with a discussion of the changing aims of children's knowing agency in different social spaces and set challenges for professional interventions.

FINLAND AS A RESEARCH CONTEXT FOR EX-PARTNER STALKING

The prevention of ex-partner stalking is generally an acute professional issue in Finland. A survey entitled "Violence Against Women," conducted in 28 European Union countries, shows that 18% of women have experienced stalking since the age of 15 by a person known or unknown to them, while the corresponding number in Finland is 24%. As for the prevalence of ex-partner stalking specifically, the findings show that 9% of women over the age of 15 in the EU have been stalked by a previous partner (European Union Agency for Fundamental Rights, 2014).

Ex-partner stalking became a prominent topic in Finnish societal discussions after six cases of familicide and filicide that occurred in 2011. Investigations into the backgrounds to these cases revealed partnership problems and separation crises (Ministry of the Interior, 2012). The parliament of Finland enacted a new anti-stalking provision in the criminal code that came into force in 2014. At the same time, the Federation of Mother and Child Homes and Shelters, a nationwide service provider for victims and perpetrators of violence, launched the project Varjo [Shadow] (2012–2017) in its two local chapters to prevent stalking and to develop professional practices. The project, running by the name Support Center Varjo,[3] received permanent funding in 2018. The nationwide support center provides services for victims and perpetrators, gives training and consultation to professionals, and supports research collaboration on stalking.

Cooperation between Support Center Varjo and universities has made it possible to conduct research focusing on the experiences of stalked women (e.g., Nikupeteri 2017a, 2017b), ex-partner stalkers' views (e.g., Kaikkonen, Saukkoriipi, & Holma, 2018), and children's experiences of post-separation stalking (e.g., Nikupeteri & Laitinen,

[3] Support Center Varjo: https://varjosta.fi.

2015; Nikupeteri, Tervonen, & Laitinen, 2015). The ongoing research project aims to widen and deepen our understanding of the dynamics of children's knowledge and agency in cases of stalking and the impacts of stalking on children's everyday life, wellbeing, and social relations (e.g., Laitinen, Nikupeteri, & Hurtig, 2018).

METHOD

Participants

The present study is based on the experiences of 19 children whose father or stepfather stalks their mother. We planned the data collection together with professionals (with educational backgrounds in social and therapeutic work with victims of violence) from two local chapters of the Federation of Mother and Child Homes and Shelters that now form Support Center Varjo. Since stalking at its worst may be a lethal threat to its victims, we decided to reach out to children who had already received help as clients of the services. The children were recruited using the following criteria: (a) the family's clienthood had been prolonged owing to the father's stalking; (b) the child was already a client; and (c) the child was otherwise suitable as a participant in light of her or his family situation, age, and degree of traumatization. The professionals introduced the research to the children and their parents. The children who were acquainted with the project were all willing to participate and they all had a Finnish background. They lived with their mothers and many of them were regularly in contact with their father. In some of the cases, a restraining order against the father was in effect or had been issued at some point.

Data Collection

The data was collected through interviews with the children and therapeutically-oriented action group sessions during the period 2012–2016. Experts on violence interviewed 14 children (11 girls and 3 boys aged 4–21). Two of the children were interviewed individually and the rest of them in pairs according to the children's wishes. In the interviews, the children talked about the acts of stalking and other violence that they had experienced. They also described their emotions, close relations, supportive resources, and need for help. The children stressed the topics in various ways and they were allowed to discuss some issues more than others. Three of the children spoke retrospectively because

their fathers had passed away recently. The interviews were recorded and they lasted 18–74 minutes.

Based on the professionals' evaluation of working methods, therapeutic action groups were formed to promote the children's knowledge production: 5 children (3 girls and 2 boys aged between 2 and 10) from 2 families participated in 10 group sessions. According to the professionals, the children would benefit the most from this type of joint action. The aim was to support the children in dealing with their violent experiences and concurrently to produce research data. The themes of the sessions focused on the children's close relations, negative emotions, and supportive resources. Each session lasted approximately 90 minutes and was recorded with a camcorder. The video material covers the children's discussions, acting, playing, and interaction related to the themes. Additionally, the research data includes drawings made by the children.

Ethical Considerations

The study complies with the Finnish research ethics guidelines (National Advisory Board on Research Integrity, 2009), passed an ethical review, and was approved by the research ethics committee of the University of Lapland. The research permit was endorsed by the local chapters of the Federation of Mother and Child Homes and Shelters. We also obtained the mothers' and children's informed consent to participate in the study. Where the mother had joint custody with the father, the consent of both parents was obtained. In the case of a 2 year-old child, only the parents gave their informed consent. They wanted the child to participate in the group sessions with siblings because the child and the siblings had been involved in violent episodes. The participants were informed that they were free to withdraw from the study at any phase and that they could decline to discuss issues with which they felt uncomfortable. The professionals ensured the children's security and wellbeing during and after the data collection.

Data Analysis

In analyzing the data, we applied Anthony Giddens's (1984) theorization of agency, particularly his concepts of cognition, motivation, practical consciousness, and knowledgeability. The basis for this theorization is that agency is formed by knowledge and action and builds on motivation and unconscious aspects of cognition. Agents have practical consciousness and tacit knowledge about social life, but they may be

unable to express them directly and discursively. Knowledgeability refers to an agent's knowledge of her or his action and the reasons behind it (Giddens, 1984). In line with Giddens, we approached children's agency in parental stalking as a social activity that is constructed in time and space. Children actively monitor their own and other people's behavior as well as the social, physical, and mental atmosphere around them. We regarded children's knowledge and action as a mental and bodily phenomenon, as words and acts, and as intuition (Laitinen et al., 2018).

The data were analyzed in five phases. To find out what the children knew about stalking, we first read and coded the data by observing the targets of the children's practical consciousness. Second, we looked at the nature of the children's knowledgeability by scrutinizing their intuitive and rational thinking and by asking them to explain what they knew about their action and the reasons behind it. Third, we examined the children's cognition in terms of how their actions formed in the interplay between creative input and habituation. Fourth, we analyzed the children's internal motivation in relation to the action they took. Finally, we examined the various features of the children's knowledge and action from the perspective of agency. We divided children's knowing agency into the following five dimensions: (a) adapting and withdrawing; (b) vacillating; (c) supportive and constructive; (d) responsible and evaluating; and (e) critical and change-seeking. The dimensions attest to the variety of agencies that children can have in the context of parental stalking. Our analysis and the dimensions of children's knowing agency are illustrated in Table 1.

Next, we will elaborate on the five dimensions of children's knowing agency using excerpts from the interviews, drawings, and extracts from the video material to illustrate the analysis. To secure the anonymity of the children and their families we have changed the children's personal information (sex, age) and given them fictitious names.

DIMENSIONS OF CHILDREN'S KNOWING AGENCY

Adapting and Withdrawing Knowing Agency

According to our study, childhood as a social context evokes adapting and withdrawing knowing agency. This type of agency was prominent in the narratives of the youngest children in our study, but it was also present in the older children's retrospective descriptions of their experiences. The grade of adaptation and withdrawal varied between the children depending on their mental and bodily experiences. The children

Table 1 Dimensions of children's knowing agency.

	Dimensions of children's knowing agency				
Components of agency	Adapting and withdrawing	Vacillating	Supportive and constructive	Responsible and evaluating	Critical and change-seeking
Practical consciousness	Visible stalking acts, encounters, and contacts with father, atmosphere in the family, everyday life, the reactions and accounts of close ones	Stalking as a threat to family relations, father's and mother's acts as caregivers, siblings, wavering between good and bad	Stalking risks the wellbeing of the mother and siblings	Stalking distorts family relationships, harmful consequences of stalking, responsibilities of family members	Stalking as a form of violence, responsibilities, liabilities, and rights
Knowledgeability	Fragmented and intuitive	Hesitant	Caring	Critical and rational	Rights-based, rights oriented
Cognition	Uncertain and uneasy	Ambivalent	Worried	Moral	Difference making
Motivation	Coping with unwanted acts of the father and encounters with him	Processing contradictory impacts of father's acts in family relations	Minimizing and balancing negative impacts of stalking to family members' wellbeing	Addressing negative consequences of stalking, questioning father's acts	Preventing and intervening in father's behavior, changing the family situation

sensed and interpreted their surroundings and the information that they were absorbing as different bodily feelings.

Children with knowing agency of this type are aware of stalking, as they recognize the visible stalking acts, the encounters with the father, and the reactions and accounts of the members of their family. They can also sense an oppressive atmosphere in the family. These issues become visible in the children's speech, action, and drawings, which depict stalking as an anxiety aggravator. The father's negative behavior toward the family – for example, spying or direct/indirect verbal or physical threats—creates an emotional burden whereby the children's cognition is characterized by uncertainty and uneasiness. Instead of speaking about stalking as violence, children merely refer to it as unwanted encounters with the father, although for an outsider their narratives may contain severe violence or threats thereof. Children also try to play down their father's behavior by describing it as ordinary. Furthermore, they believe in the goodness of their father even if his acts raise fear, as noted by Johanna:

JOHANNA: So he came a couple of times behind our door at night, knocking. Sometimes when he had an axe or something with him, he was menacing.
INTERVIEWER: What did you think when he came at night and knocked?
JOHANNA: It was a scary situation, but at that stage, I was thinking that he couldn't do anything or at least I had it in my mind that he won't or can't do anything, but the situation made me scared.

The lack of violence-related words emphasizes children's fragmented and intuitive knowledgeability. This is manifested, for example, in how they depict stalking in their drawings in therapeutic groups. They may place stalking far from themselves; for example, in certain rooms. In describing their personal fears, one of the children drew the devil sitting in the sauna (see Figure 1).

The data contain descriptions of children gathering cues about stalking to find out what is going on and to enhance their possibilities of assessing how they should act toward the father. They see, hear, and experience parts of various acts and episodes and they probe their family situation by observing the behavior of the father, mother, siblings, and other adults. Many of the children had learnt this strategy already when there was violence in the family before their parents' separation (e.g., Överlien & Hydén, 2009).

Even if knowledge about stalking causes fear and insecurity in children, they nevertheless adapt themselves to it by adjusting their

Figure 1 Devil sitting in the sauna.

thoughts and action concerning the father. The research data contains several descriptions of the children having tried to turn the father's attention from the mother to themselves, to foresee the father's behavior, or to calm him down. Some children had started to notice that they have power to balance their family relations through their own action. However, stalking limited the children's willingness and possibilities to act and to voice their own feelings and knowledge.

INTERVIEWER: Is it the right interpretation that you are not able to be yourself freely?

LAURA: Yes (—) Many times, especially if it [meeting the father] has occurred so that I have had school the next day, I have had trouble to concentrate. I am constantly thinking about it, whether I said something wrong, if I made him upset or something. Overall, I feel uncomfortable when I have to see him [Dad].

The motivation behind the action of children with this type of agency is to endure the unwanted acts of and contacts with the father/stepfather. Children's adapting and withdrawing knowing agency is flexible and almost invisible to outsiders. However, they know more about the family's situation than their actions may suggest.

Vacillating Knowing Agency

Vacillating knowing agency enables children to understand stalking acts and the threat they pose to family relations. It becomes visible in the actions and drawings of children of different ages and in the way in which they describe their family relations. Children take notice of the behavior of their father and mother as caregivers, the reactions of their siblings, and the difference between good and bad. Their

knowledgeability falters because of the coexistence of good and bad, and their cognition of stalking is ambivalent. They can see the father as "good," but they also point out his misconduct or intimidation. They also perceive reality in different ways. For example, siblings' narrations of their family situation vary in our data. Furthermore, good memories neutralize the father's bad behavior. Even if they are insignificant and ordinary, they are meaningful to children in that they bind children emotionally to their fathers, build intimacy, and evoke positive emotions. The following excerpt relates to a child's good memories of her father:

INTERVIEWER: What kind of good memories do you have?
JONNA: Quite ordinary ones, like, always when my Daddy ordered pizza I was allowed to eat all the shrimps… And small things that we used to do together.

The knowledgeability of children with vacillating knowing agency is driven by emotions. Our data include descriptions in which the children's knowledge and agency contain morally laden negative emotions, especially fear. For example, they are afraid of their father's possible threats and attacks. This fear emerges from children's awareness of unforeseeable instances of stalking and the fact that at worst they can have lethal consequences (Nikupeteri et al., 2015). Fear engenders insecurity that limits children's daily life and their agency outside of home and family relations:

INTERVIEWER: What do you think, what consequences did your Daddy's calls have?
MATIAS: We were all under strain, and such. It was oppressive. If he called, everyone was so quiet afterwards, and it was difficult. We didn't want our friends to visit us that much. Sometimes after he had called, we didn't dare to go anywhere. When I was younger, it felt even scarier, I mean, he still calls from different numbers.

In the therapeutic action groups, the children addressed their fears together with the professionals. In one of the children's drawings, there were drops of blood in different colors and the text, "Daddy fears: Your child is dead!" The drawing illustrates children's multidimensional reasoning regarding their family relations (see Figure 2). Children sometimes lack words to describe their thoughts and may therefore not be able to articulate their family situation. This emphasizes the fact that unconsciousness and practical consciousness are as important as discursive consciousness in the realm of knowing agency (Giddens, 1984). In a

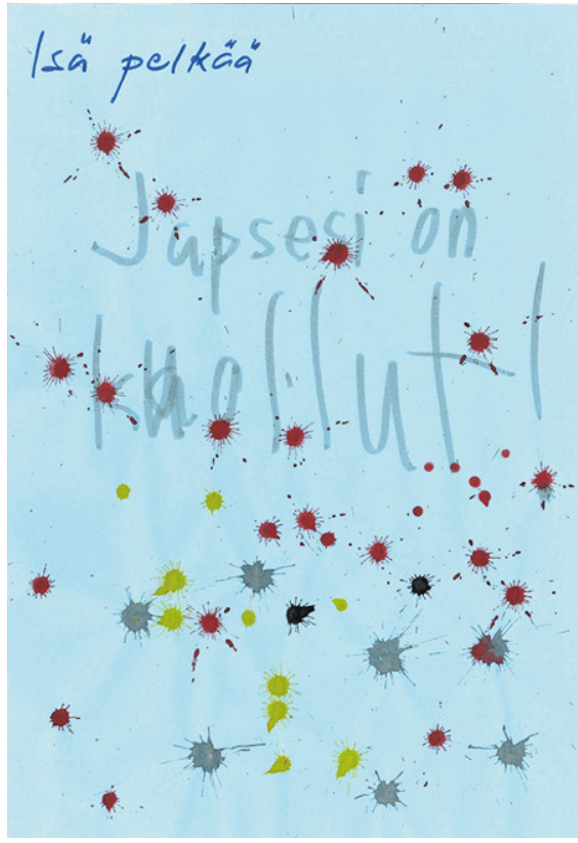

Figure 2 Your child is dead!

child's mind, losses and threats can attach them to their fathers. Therefore, it can be difficult for children to deem their father's acts wrong and to forbid the father to commit them.

Shame was another key emotion met in our data. Children were embarrassed by their fathers' acts, such as yelling in the public and violating the code of socially acceptable behavior. They felt awkward because their family was not like those of their friends.

INTERVIEWER: Were you able to talk about this with any friends of yours?
ROSA: It was hard for me to speak about it in the beginning. Maybe there was, in some way, a bit of shame involved. I had friends who didn't know anything, to whom I didn't want to talk at all (—) Maybe it was just because of the way things can be in our family.

Children with vacillating knowing agency are aware of stalking and its negative consequences. They are motivated by a desire to process the contradictory impacts of their father's acts. They try to handle their positive emotions as well as their fear and shame arising from the father relation. Children gain ontological security (Giddens, 1991) if they are able to attach to the positive issues of their family relations. However, their childhood family relations may also entail death—their mother being killed by the father or stepfather. Our data show that the construction of these children's agency is inhibited by a mental conflict between the ideal family image and the realities of life.

Supportive and Constructive Knowing Agency

Supportive and constructive knowing agency is typically found in the narrations of school-aged and older children. The cognition of children with this type of agency can be regarded as worried and their knowledgeability as caring. They utilize both rational knowledge and intuition, and they are conscious of the threat that stalking acts pose to the welfare of their mother and siblings. Our data show that children primarily take care of their mothers, but older children also care for their younger siblings and pets. The children's desire for a normal and predictable life serves as an incentive to their knowing. They try to influence their family relations and to ensure the smoothness of everyday life through their own actions. They also remain vigilant and active if they are afraid of losing their mother. Protecting an abused mother and siblings is demanding for children and it can narrow down their agency in other arenas and relations.

MIINA: Sometimes we weren't even able to go to school… So, we all stayed home the next day.
INTERVIEWER: What do you think was the biggest [fear] then?
MIINA: I don't know, maybe our family.
MINTTU: Yes.
MIINA: I had the feeling that I didn't want to leave my Mum alone for the day.

During the attacks it was sometimes so that we calmed our Mum down. (Jonna)

Children's supportive and constructive knowing agency also becomes visible in that they are careful about what they say about their family situation to their friends, relatives, and neighbors. They understand that the knowledge of stalking may upset others and cause difficulties for them and their family members. Hence, they evaluate carefully

what they say about their family situation, and to whom, as illustrated by the following discussion between siblings:

MIIA: His/her mother knows and so forth, but it kind of doesn't feel right to tell him/her, because he/she still feels so young [less than a year younger than the speaker]

REETTA: Then he/she would begin to feel compassion for us and then he/she would say that you can't go alone there, if he [the Father] appears and…

MIIA: Yeah.

REETTA: … does something and, you know, they have such a perfect family, their children are nice and they really are nice. And their father is so wonderful, he takes them everywhere in his car. Their mother is real neat, too.

Children with this dimension of knowing agency are driven by their practical consciousness and moral emotions—mainly by empathy toward the mother and siblings. They behave in a caring manner in their family relations. Their motivation is to minimize the negative impacts of stalking on the wellbeing of their family members, which also creates a burden, because instead of merely controlling their fears, they also realize their potential to support and construct coping actions in threatening family situations.

Responsible and Evaluating Knowing Agency

Responsible and evaluating knowing agency appears in the older children's narratives. These children's knowledgeability is critical and rational. They realize that stalking distorts family relations, is harmful, and adds to the responsibilities of the family members. They also utilize different sources of information, such as their siblings, relatives, and social media, in order to evaluate situations. Further, their cognition is moral, as they define their agency in relation to the abusive father, mother, siblings, and the rest of the community according to social norms concerning family relations and practices. Children with this type of knowing agency base their reflection on norms that determine what is expected from family members. Responsible and evaluating agency also enables a child to monitor another person's action as a rational process (Giddens, 1984). It can be regarded as strong agency, but it also has a downside in that it may expose its owner to serious violence:

> I remember when Daddy came home one night. I yelled from the window that he shouldn't do anything stupid and such. I probably did this because Mum was in panic and my siblings kept out of sight.
>
> (Maria)

JOHANNA: I remember when my Dad spilt petrol on the carpet. Mum said, "Run, run away, go to the neighbour." I said, "I won't go anywhere, I won't leave this place." Somehow, I was thinking that if we [children] are there, Dad wouldn't do anything. I said that I am not going, and then the conflict came to an end.

INTERVIEWER: You are so brave.

JOHANNA: I don't know if it was the smartest thing to do, but the feeling was so strong that I didn't go.

The previous excerpt illustrates the child's capability to act despite her fear. By subjecting herself to danger in protecting her mother, she inverted the normative role division between parents and children. Children's intent to promote security in their family is also evidenced by accounts in which they evaluate the security of their living arrangements for example by comparing houses/homes:

> The flat felt safe because no one could climb to the balcony or enter the corridor. You couldn't go anywhere without a key. Then the mailbox, you couldn't drop anything in because the hatch was so small. (—) When you went out through the door, you had to check that no one was there. (Noora)

Through this dimension of knowing agency, children perceive stalking as violence and deem the father responsible for the problematic family situation after evaluating the moral character of his behavior. Our data show that these children can thwart their father's aims and test their right to evaluate not only their father's but also their abused mother's behavior. They can also control their mother's spending, evaluate the acceptability of her behavior, and question her way of life.

> Daddy asked if we wanted to get in his car if he buys us some candy. I told him that Mum has forbidden it. We have met… we have to arrange our meetings. (Ville)

INTERVIEWER: Because researchers don't know your case, I sum it up by saying that your Dad has gone abroad after the latest acts of violence. Thereafter, you have applied diverse security systems and been safe for one year. What do you think, how has your relationship with your Mom changed during the year?

MATIAS: It has changed for the better. Yeah, my Mom tries to stop smoking and she is in a better mood nowadays, and we also do some things together.

The knowledge and action of children with this type of agency are characterized by moral thinking, remarks about violence, and action against it. These children are motivated to address the negative consequences of stalking and to question their father's acts. Their agency is strong and expressive, because they assess their knowledge from different perspectives and are aware of the values to which they want to adhere. This makes the children's role visible when they interact with their mother and other adults.

Critical and Change-Seeking Knowing Agency

Critical and change-seeking knowing agency characterizes the narratives of the oldest children in our study. This type of agency is possible when children have enough knowledge about their father's violent behavior or recognize the distorted motives behind his seemingly caring fatherhood. They also define stalking as violence that infringes on their rights and the wellbeing of their family members. Their cognition is rights-based and their knowledgeability supports difference-making. Rights-based justice and ethical acuity are at the core of their action in preventing stalking, intervening in the father's/stepfather's behavior, and changing the family situation. They also value their own consciousness of the family situation and their subjective experiences. Help received from professionals or adults at school may support these children's growth as independent agents and encourage them to talk about stalking.

> I have once written to him [father] that he can't buy my confidence with his money. It will only come with time, if at all. That it depends on how he behaves. That what matters is his deeds.
>
> (Veera)

> Now, somehow, when I am older [junior high school], we have talked in the academic advisor's class and in the other classes how important it is to talk, and such. This has somehow made it clearer that you dare to talk.
>
> (Jonna)

Critical and change-seeking knowing agency enables children to behave and act differently and with a purpose; for example, to intervene in their father's action. They may refuse to maintain their relationship with the father and deny their father's right to meet them—which is against Finnish cultural norms that stress the importance of keeping children in contact with their parents. Bordonaro and Payne (2012) refer to this as "ambiguous agency," which is in conflict with the

normative conceptions of childhood, the morally and socially acceptable behavior of children and youths, and the activities that this age group should engage in.

INTERVIEWER: Did you try to maintain your relationship with him?
LAURI: No I didn't.
INTERVIEWER: What do you think was the reason, why didn't you?
LAURI: Because of the threats and other things, I didn't want to anymore …

> Grandma [stalker's mother] always said that it would be nice if you could visit them and so on. But when we went there, she talked about how it [all that has happened] is Mum's fault. So I didn't want to go there anymore, because I knew that it wasn't like that. (Jonna)

Building on a strong foundation of knowing such as this, a child may take active roles outside the family; for example, by contacting the social services, the police, or other supportive professionals. An awareness of the family situation and its adverse effects on the wellbeing of the mother, the siblings, and themselves gives children the courage to seek justice. On the other hand, they may have a critical attitude toward the social support system and its professional practices, as illustrated by the following excerpt:

> When people need a safety button, it must be given to them immediately, instead of making them wait for it for several months, and live without it for months.
>
> (Lauri)

> When thinking about professionals or the people who are involved in the situation, it is important that they can show that they respect their confidentiality obligation. Especially because we have experience of authorities who have not kept quiet. So, at the point when the situation is acute, one should somehow gain the trust or show that the things will not leave the room.
>
> (Milla)

Overall, the data show that critical and change-seeking knowing agency requires children to acknowledge stalking as a threat to their rights. Thereby children do not acquiesce in their father's views and interpretations of what is and what is not true. Critical and change-seeking knowing agency deepens their surviving agency and strengthens their ontological security (Giddens, 1991), which, in turn, enhances their possibilities to change the prevailing situation by preventing their father's acts.

CHILDREN'S VARIOUS KNOWING AGENCY

We have identified five dimensions of children's knowing agency in cases of parental stalking. According to our findings, this agency is shaped individually and situationally, which means that children as individuals take multiple positions and their action occurs in time and space (Giddens, 1984). The findings also show that the dimensions of knowing agency are relational and interconnected. Younger children particularly may struggle between adapting, withdrawing, vacillating, supportive, and, constructive knowing agency. Older children, on the other hand, are more inclined to assume responsible and evaluating as well as critical and change-seeking knowing agency, as they are often more aware of parental stalking. The visibility, direction, and power of children's knowing agency vary according to aims and social spaces as follows: acknowledging stalking in a parental relationship, repairing family relations, influencing stalking through moral consideration, and advocating children's own and the abused family member's rights. Here, children's adapting, strong, caring, and resisting agencies intersect. The various aims of children's knowing agency are illustrated in Figure 3.

The acknowledgment of stalking requires adapting, withdrawing, and vacillating knowing agency. Children try to make sense of the

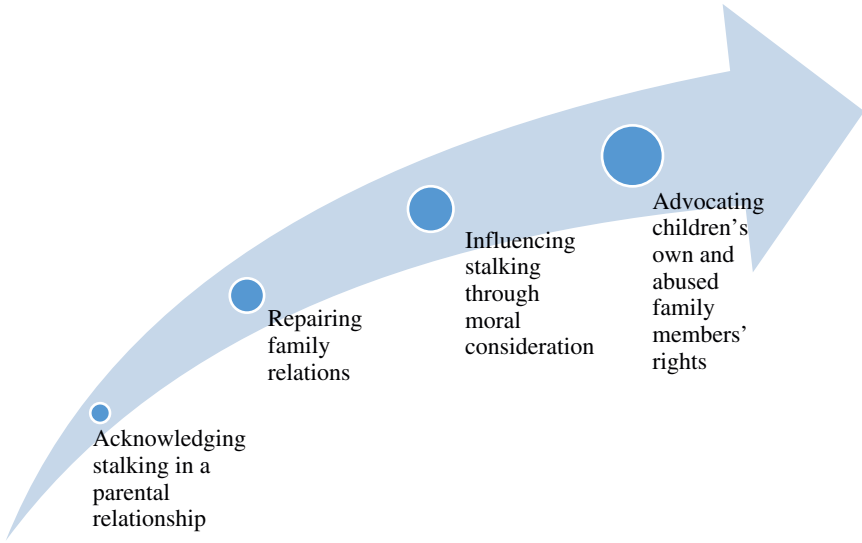
Acknowledging stalking in a parental relationship
Repairing family relations
Influencing stalking through moral consideration
Advocating children's own and abused family members' rights

Figure 3 Various aims of children's knowing agency.

unwanted contact with their father and the uncertain atmosphere in their family. The limits of the social space of their knowing agency are defined by the parental relationship. The children relate to their mother and father and situate themselves between them. They do so even though in some cases they compare their own views of the family situation with those of their siblings. In acknowledging the untoward parental relationship, children make intentional use of their intuition to interpret what is going on in the family. They routinely monitor the stalking father, the mother, and the siblings in order to create ontological security (Giddens, 1984).

Repairing the family relations builds on supportive and constructive knowing agency. Here, children expand the social space of their knowing agency into broader family relationships and they feel obligated to take care of others. They also use their caregiving power both intergenerationally, protecting the mother, and intragenerationally, protecting the siblings (van Blerk, 2012). The children learn that they can abate the negative impacts of stalking in threatening situations and in their everyday practices through their own behavior and tactics that are based on both unconsciousness and practical consciousness (Giddens, 1984). Furthermore, their practical consciousness of the family situation enables them to improve their family relations. These children can affect their family relationships in a positive way by combining rational knowledge, emotional knowledge, and empathy (also Katz, 2015).

To be able to influence stalking through moral consideration requires responsible and evaluating knowing agency within family relationships and other social networks. Children who can influence stalking lean on moral considerations that strengthen their agency and transform them into visible agents in the family and its social network. They know that the father's stalking behavior is in conflict with the cultural norms regarding parent–child relationships and they assess it with persons who are familiar or somewhat familiar with the family situation, namely the mother and siblings, friends, neighbors, and relatives. In this context, the children's knowing agency is both enabled and restricted by structural factors, such as cultural norms and codes of signification that highlight parents' care of their child. When addressing stalking through moral consideration, children's practical consciousness gains ground and begins to change into discursive consciousness, making them aware of their socialization. This, in turn, enables them to grasp what they have learned and to change their action accordingly (Giddens, 1984).

Advocating one's own and the abused family members' rights takes place through critical and change-seeking knowing agency, which is characteristic of older children. Children with this faculty expand the

advocacy of their rights from the sphere of their family and social networks to the professional practices of social interventions. They also consider the way in which society as a whole values children's roles and knowledge in the context of stalking. In advocating their rights, children primarily act outside the family in order to effect change not only in their family but also in society. Children are capable of seeking professional help and support. They also evaluate the services and express views on how to develop victims' status in ex-partner stalking. When advocating their rights, children also strengthen their "ambiguous agency," enabling them to act visibly by questioning the moral and social order of society and the iconic notions on childhood (Bordonaro & Payne, 2012). Advocating their own and the abused family members' rights requires that children deem their own experiences valuable and find themselves as agentic subjects who can make a difference in private and societal contexts by exercising the power within them (see Giddens, 1984).

In terms of practical implications, children's various knowing agencies complicate interventions in ex-partner stalking. Children's challenging or problematic behavior—for example, questioning the cultural norms related to child–parent relationships and professional interventions—may be considered "ambiguous" by adults, but not necessarily by children themselves (Bordonaro & Payne, 2012). Based on our findings, we argue that professionals in relevant fields should respond to children's needs by taking into account their experiences in a more nuanced way and by recognizing them as knowing agents in situations of parental stalking. To address the needs of children, professionals need a relational understanding of their agency: how children position themselves within their families in terms of age, gender, and birth order and how they support their mother and siblings (also van Blerk, 2012). Based on our findings, it is essential that professionals address children's experiences, their position, and the negative consequences of stalking from the psychological, social, and legal perspectives. Furthermore, it is important that they assess children's agency in relation to the perpetrator, observe the social conditions where children exercise their agency, and consider the hierarchy of power in their family relations.

CONCLUSION

Our study shows that it is essential to recognize children as individual agents in situations of ex-partner stalking. This requires sensitivity as to the different dimensions of children's knowing agency and the way in

which their knowledge and agency are constructed in social spaces such as parental and family relationships, wider social networks, cultural and moral practices, and professional encounters. The study also calls for more research on children's experiences in ex-partner stalking. Although our theoretical commitments highlight children's agency, the study reminds us that children are both victims and actors in parental stalking in the same way as in domestic violence (Eriksson, 2012).

We stress that more research is needed on parental stalking because of its many negative effects on children's wellbeing. In addition, the scope of our data being rather limited and all the studied children having a Finnish background, it was not possible for us to analyze children's knowing agency from the viewpoints of gender and ethnicity. Taking gender and ethnicity into account could produce more nuanced and essential information about children's experiences for professionals working on cases of parental stalking. To raise the child's position and voice in ex-partner stalking research and to advance our empirical and theoretical knowledge of children's experiences, further international and interdisciplinary research is needed on this complex phenomenon.

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4

Unwanted Attention: A Survey on Cyberstalking Victimization

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INTRODUCTION

For its small population of 5.61 million residents, Singapore has seen growing ubiquity in the use of information communication technologies (ICT). In 2017, the Southeast Asian country was ranked on the Global Connectivity Index as the second most connected nation in the world (Global Connectivity Index, 2017). The government invests heavily in its Smart Nation ambitions, an initiative promising the integration of technology nationwide to improve way of life (Leong, 2014). This increase in both the accessibility and affordability of ICT services means that many electronic devices—such as laptops, tablet browsers, and mobile phones—have become a part of everyday life. In its most recent report, the Infocomm Media Development Authority (IMDA) of Singapore indicated that 91% of households have access to the internet and to broadband (IMDA, 2017).

Although networked technologies provide a range of benefits for the individual—ranging from social to informational to financial—the amorphous nature of cyberspace has provided new territory in criminal

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victimization, especially in the area of cyberstalking (Roberts, 2008). Unsurprisingly, cybervictimization rates parallel the rapid growth of ICT usage, with Singapore experiencing a growing number of cybercrimes (Koh, 2017), including online scams, hackings, unauthorized access to material, phishing, and ransomware. Equally worrying is the employment of social media as a tool for hostile online behaviors such as threats, "flaming" (Davie & Liaw, 2005), and shaming comments. Such online acts and offenses, especially over protracted periods of time, can instill negative emotional and psychological effects in targeted victims (Kirwan & Power, 2011; Short, Guppy, Hart, & Barnes, 2015).

CHARACTERISTICS OF CYBERSPACE

Some authors, such as Grabosky (2001), opine that virtual crimes are simply online versions of offline offenses, akin to "old wine in new bottles." However, criminologists with a sociological orientation take the view that there are certain novel social-interactional characteristics about cyberspace that make cybercrimes qualitatively different or new from "terrestrial crimes," and thus especially vulnerable to misuse (Yar, 2006).

First, cyberspace involves the *collapse of time–space barriers,* which makes possible near-instantaneous encounters between geographically distanced individuals. Consequently, physical distance becomes less of a deterrent to crime. The stalking behavior becomes asynchronous and remote. Personal communication requires little to no effort. For example, a text message may cross continents in under a minute. Repeated, intrusive behaviors are enacted with ease.

Second, the *many-to-many connectivity* nature of computer-mediated communication acts as a "force multiplier," enabling a single individual to generate potentially harmful effects by interacting with thousands of individuals at the same time. With minimal effort, a libelous email can be distributed on a mass scale.

Third, the *anonymity and changeability of online identity* allows the perpetrator to take on various disguises, complicating efforts to track down offenders. This characteristic of cyberspace allows the power imbalance that exists in the victim–perpetrator relationship (Ashcroft, 2001), leading to persistent and unwanted threatening and harassing behaviors directed toward the victim. Perpetrators may also assume two or more different identities.

Clearly, the borderless world of ICT functions differently from the offline world. These three qualities of ICT transform the online nature of victim–offender relationships, altering the scale and scope of potential illegal wrongdoing (Capeller, 2001). The transnational nature of cybercrime

makes it particularly taxing on victims and law enforcement agencies. The lack of consistency in cybercrime laws across national jurisdictions makes it difficult for countries to cooperate when the offense is committed across international borders (Broadhurst & Chang, 2013).

DEFINING CYBERSTALKING

What is the difference between cyberstalking, cyberharassment, and cyberbullying? The primary distinction between *cyberbullying* and *cyberstalking* is one of age. Cyberbullying studies typically involve minors targeting other minors (Baas, de Jong, & Drossaert, 2013; Juvonen & Gross, 2008; Sabella, Patchin, & Hinduja, 2013) and thus will not be considered in this chapter. Cyberstalking and cyberharassment are forms of cybervictimization (Finn, 2008; Tjaden, 2003). Attempts to formulate clear and distinct working definitions have yet to reach a consensus. For this reason, we use the terms cyberstalking and cyberharassment interchangeably.

Cyberstalking refers to a "set of behaviours that involve *repeated* threats, stalking, or other unwanted contact, by the *use of computer or other electronic communication-based technology* that has the effect of making another person *feel afraid, intimidated, or concerned for his or her safety*" (Miller, 2012, p. 501). Some common examples of the broad range of cyberstalking behaviors can be found in Appendix A.

REVIEWING THE LITERATURE ON CYBERSTALKING

The research on cyberstalking victimization is yet to be considered fully established. Other than understanding the occurrence of cyberstalking via anecdotal information (King-Ries, 2011; Parsons-Pollard & Moriarty, 2009), some studies have attempted to extrapolate the findings from studies of physical stalking and harassment to online hostile interactions. Even where studies that solely focus on cyberstalking exist, they have been difficult to compare due to differences in definition, methodology, and measurement techniques (Finn, 2008; Reyns, Henson, & Fisher, 2012). That being said, there have been research attempts to look into prevalence rates and victim demographics.

Prevalence Rate

Depending on the measures used and populations sampled, the estimated incidence and prevalence of cyberstalking ranges from 3 to

31% (Alexy, Burgess, Baker, & Smoyak, 2005; Amar & Alexy, 2010; Baum, Catalano, Rand, & Rose, 2009; Bocij, 2003; D'Ovidio & Doyle, 2003; Finn, 2004; Fisher, Aron, Mashek, Li, & Brown, 2002; Fisher, Cullen, & Turner, 2000; Hango, 2016; Holt & Bossler, 2008; Jerin & Dolinsky, 2001; Lenhart, Ybarra, Zickuhr, & Price-Feeney, 2016; McQuade, 2007; Sheridan & Grant, 2007; Spitzberg & Hoobler, 2002; Winkelman, Early, Walker, Chu, & Yick-Flanagan, 2015). As is typically the case in other criminal offenses, the true prevalence of cyberstalking remains unknown. Individuals who lack awareness of their victim status, or who experience embarrassment or fear of repercussion, are unlikely to report their experience. In this respect, published prevalence rates are at best speculative (Kirwan & Power, 2011).

Victim Demographics

The USA based group, Working to Halt Online Abuse (WHOA), reports that 80% of victims are female (WHOA, 2012). However, females might be more likely than males to report cybervictimization experiences (Annenberg Public Policy Center, 2010), especially when surveys are non-anonymous. When confidentiality and anonymity are key parts of a survey, the proportion of self-reported male victims is higher. This is evident in the findings of the 2011 Electronic Communication Harassment Observation (ECHO) Survey on cyberstalking by the University of Bedfordshire in the UK (Maple, Short, & Brown, 2011). A majority of the victims were aged 20–49 and nearly 40% of the victims were males.

IMPACT OF CYBERSTALKING ON VICTIMS

It would be erroneous to assume that a victim of online crime does not experience similar levels of threat and functional impairment seen in victims of offline crime (Kirwan & Power, 2011). Cyberstalking can be equally distressing as physical stalking (Sheridan & Grant, 2007) because the anonymity and time–space compression of electronic communication makes the threat of harm and intrusion an all-pervasive phenomenon in victims' lives (Miller, 2012).

Victims experience negative symptoms and trauma (Nguyen, Spitzberg, & Lee, 2012). Victims do sometimes experience emotional effects that interfere with their daily functioning (Maple et al., 2011; Pathé & Mullen, 1997). In the 2011 ECHO Survey, 29.6% of respondents

surpassed the threshold[1] for the *Diagnostic and Statistical Manual of Mental Disorder* (4th edn. text revised) (DSM-IV-TR) post-traumatic stress disorder (PTSD) diagnosis. Fear (80.9%) and distress (95.6%) were the two most frequently reported emotional effects of cyberstalking. A third of respondents (34%) feared damage to reputation, reflecting the public and exposed nature of cybervictimization (Maple et al., 2011). Other psychological reactions include self-blaming (Sheridan, Davies, & Boon, 2001) and victim-blaming (Kirwan & Power, 2011).

VICTIMS' ACTIONS AND COPING EFFORTS

Studies exploring the responses and coping efforts of victims have mostly focused on offline stalking incidents (Mishra & Mishra, 2013). Few victims of offline stalking engage in reporting behaviors (Fremouw, Westrup, & Pennypacker, 1997). Amar and Alexy (2010) reported that the most common coping strategies in response to offline stalking were: ignoring or minimizing the problem, distancing, detaching, depersonalizing, verbal escape methods, terminating the relationship, controlling the interaction, and restricting accessibility. Also, it is noted that most cyberstalking victims are unaware that a crime has been committed against them (Mishra & Mishra, 2013). WHOA (2012) mentions that victims are most likely to report the cyberstalking to their Internet Service Provider (58%), followed by the police (41%) and lawyers (1%). Victims may also report to schools, web hosts, moderators, employers, family, and friends.

RECENT DEVELOPMENTS IN THE CYBERSTALKING LANDSCAPE IN SINGAPORE

Legislative Recourses in Singapore

In Singapore, the introduction of the Protection from Harassment Act 2014 created a new offense of stalking and extended existing protection from harassment to include online harassment behaviors. Prior to the introduction of the Act, victims of offline harassment or stalking had sought recourse under sections 13A and 13B of the Miscellaneous

[1] According to DSM IV-TR, this threshold is met when the individual experiences persistent duration of more than 3 months of distressing recollections, avoidance of associated traumatic stimuli, and increased arousal. These symptoms result in distress and impairment in important areas of life functioning.

Offenses (Public Order and Nuisance) Act (Cap. 184), and/or the Computer Misuse and Cybersecurity Act (Cap. 50A). There has been much support for the new Act, given that the previous means of recourse were unable to cover neither indirect forms of harassment (e.g., electronic surveillance) nor the whole spectrum of stalking behavior (e.g., sending messages or gifts; Second Reading Speech, 2014). In *Malcomson Nicholas Hugh Bertram and another v. Mehta Naresh Kumar* ([2001] SGHC 308), Judge Tan KS commented on the need to address this lacuna in the Miscellaneous Offenses Act while balancing the victim's right to privacy against the perpetrator's right to free speech.

High Levels of ICT Usage Among Emergent Adults

In 2012, the Infocomm Development Authority of Singapore found in their survey that 99% of Singaporean individuals aged 15–24 years of age had used the internet in the past 12 months (IDA, 2013). Individuals in this age group are likely to engage in both online shopping (51%) and spending a large proportion of their online time on social networking sites (73%; IDA, 2013). Users of online social networking sites are particularly vulnerable to cyberstalking (Topping, 2012). This is partly because emergent adults are the most likely age demographic to put up personal identifying information online and are thus at most risk of cybervictimization. An additional point is that in Singapore, a majority of emergent adults are still continuing their education, and many students choose to live and study in a relatively closed community where personal information (e.g., email addresses, class attendance lists, timetables) is easily obtained (Finn, 2004). Easily obtainable information is shared between students, making it easy for fellow students to contact and track one another's movement online. Recent studies show that cyberstalking is gaining prominence in American universities (Reyns, 2019). Prevalence rates of cyberstalking among university respondents range from 8.6 to 43.4% (Beran, Rinaldi, Bickham, & Rich, 2012; Kraft & Wang, 2010; Lindsay & Krysik, 2012; Paullet, Rota, & Swan, 2009; Reyns, Henson, & Fisher, 2011; Walker, Sockman, & Koehn, 2011).

THREE SURVEYS OF CYBERSTALKING IN EMERGENT ADULTS IN SINGAPORE

It is in this particular context of the changing cyberstalking landscape that three exploratory studies into the victimology of cyberstalking in Singapore were conducted. To the authors' knowledge, no published

research article that explores the nature and impact of cyberstalking among late adolescents and young adults in Southeast Asia exists.

There is an urgent need to understand issues of prevalence, victim demographics, post-traumatic symptomology, coping strategies, and attitudes toward help-seeking avenues. These issues are explored across the data collected from two local university samples (i.e., Study 1 and Study 2) and a senior high school equivalent sample (i.e., Study 3). As the purposes of these three studies were mainly exploratory, we make no hypotheses as to our findings.

METHODOLOGY

Participants and Procedure

The sample consisted of undergraduate students from two universities in Singapore—University A (Study 1, $N = 282$) and University S (Study 2, $N = 215$)—and students from several high-school equivalents in Singapore (Study 3, $N = 317$). Confidentiality was assured and participation was voluntary. Students completed a retrospective self-report survey to provide details of (any of) their cyberstalking experiences. Students were debriefed and provided with useful resources and contacts to address potential distress from previous cyberstalking experiences.

Materials

The Cyberstalking Victimization Questionnaire (Hensler-McGinnis, 2008) is a 17-item measure designed to assess the frequency of cyberstalking behaviors experienced by the individual (see Appendix B). The measure was created in response to a lack of standardized measurement instruments for cybervictimization. Items were selected from the Cyber-Pursuit Questionnaire (Spitzberg & Cupach, 2000) and the Obsessive Relational Intrusion (ORI) (Victim Short Form) Questionnaire (ORI; Spitzberg & Cupach, 1997). Both are self-report measures of (cyber)stalking and pursuit behaviors received. Participants were asked whether anyone has "repeatedly pursued or monitored you through the use of technology (and making you afraid and worried)." Checking a "Yes/No" option indicates presence or absence of the cybervictimization behavior.

The Threat Perception Scale (TPS; Hensler-McGinnis, 2008) is a seven-item measure designed to assess the subjective threat levels

perceived by the individual in response to his or her "worst [cyberstalking] experience." Items were rated on a seven-point Likert scale (0 = *not at all*; 6 = *extremely*). Higher scores indicate a greater threat perception of the cyberstalking experience.

The Impact of Events Scale—Revised (IES-R; Weiss & Marmar, 1997) is a 22-item measure designed to assess the subjective emotional and psychological impact of a potentially traumatic event. Five items were added by the scale's authors to the 17-item original scale (Horowitz, Wilner, & Alvarez, 1979) to better capture the DSM-IV-TR criteria for PTSD (American Psychiatric Association [APA], 2000). At the point of the data collection, the IES-R had yet to be revised again to capture the amended DSM-V criteria for PTSD. Respondents were asked to identify their "worst cyberstalking experience" as a reference point while responding to items. A total IES-R score of 33 or more over a theoretical maximum of 88 signifies the likely presence of PTSD (Weiss, 2007). The IES-R has shown good psychometric properties (Rash, Coffey, Baschagel, Drobes, & Saladin, 2008; Sveen et al., 2010). It has demonstrated good test–retest reliability (Bienvenu, Williams, Yang, Hopkins, & Needham, 2013) and concurrent and discriminant validity (Adkins, Weathers, McDevitt-Murphy, & Daniels, 2008; Beck et al., 2008). Used as a screening test, it precludes a valid diagnosis of PTSD (APA, 2000).

The Brief Coping Orientation to Problems Experienced (Brief COPE) (Carver, 1997) is a 28-item measure designed to assess the effective and ineffective coping strategies employed by the individual in response to a stressful event. Derived from the Full COPE (Carver, Scheier, & Weintraub, 1989), the Brief COPE has two items for each of the 14 subscales. The Brief COPE has shown construct validity (Kapsou, Panayiotou, Kokkinos, & Demetriou, 2010), as well as both concurrent and predictive validity in a psychiatric sample (Meyer, 2001). The test–retest reliability of the 14 subscales ranges between .50 and .82 (Carver, 1997).

The Cyber Help-Seeking Possibilities Questionnaire (see Appendix B) was developed by the authors of the study to explore the type of help-seeking avenues preferred by the respondent. Participants are presented with 19 statements, each referring to a different type of suggested aid in response to cyberstalking (e.g., "I think there should be a helpline available for victims of cyberstalking and stalking incidents," "I think a restraining or protection order is effective in dealing with the cyberstalker"). Items are rated by participants on a five-point Likert scale (*disagree* = 1, *tend to disagree* = 2, *neutral* = 3, *tend to agree* = 4, *agree* = 5).

Study 1 Sample from University A

Out of 282 survey respondents (M = 21.87 years, SD = 2.93), 78 participants (27.7%) reported experiencing at least one item on the Cyberstalking Victimization Questionnaire. We performed further analysis on a subsample of 75 participants ("victims") who sufficiently completed the subsequent sections of the survey form. Table 1 reports their demographics.

Cyberstalking Experience

The most frequent cyberstalking behavior experienced was "sending excessively needy or demanding messages to you" (37.3%) (Table 2).

Perceived Threat of Cybervictimization

TPS-Threat subscale scores ranged from 0 to 30 (M = 9.88, SD = 6.73) (Table 3). Males (M = 12.44, SD = 7.31) and females (M = 9.07, SD = 6.40) did not differ in threat perception levels, $t(73) = 1.89$, p = n.s.

Emotional and Psychological Impact

IES-R total scores ranged from 0 to 53. An IES-R total score of 33 or more indicates the possible presence of PTSD. In this sample, 10 participants (13.3%) had a total score of 33 and above. Of these, 3 were male and 7 were female.

Table 1 Demographic characteristics and prevalence of cyberstalking for the University A Sample (N = 282) and "victims" subgroup (N = 75)

	Study sample		"Victims" subgroup	
Variable	*N*	%	*N*	%
Gender				
Male	86	30.5	18	24.0
Female	195	69.1	57	76.0
Not reported	1	0.4	—	—
Cyberstalking experience				
0	204	72.3		
1 or more types	78	27.7		
Variable	*M*	*SD*	*M*	*SD*
Age	21.87	2.93	21.71	1.68

Table 2 Frequencies of cyberstalking behaviors experienced by University A victims subgroup (N = 78).

Cybervictimization Behavior	Frequency (%)
Sending excessively needy or demanding messages to you	37.3
Monitoring your online profiles, away messages, and so on	33.3
Sending poetry, song lyrics, e-cards, messages implying a more intimate relationship than you had with the person	32.0
Sending messages that inappropriately shared information about the sender's life, body, family, hobbies, sexual experiences to you	21.3
Spreading rumors or embarrassing information about you via email, I-M, text message, online profiles, blogs, and so on	16.0
Posting or distributing pictures of you without your consent	16.0
Falsely representing him/herself online or via another	13.3
Sending sexually harassing messages that commented on your appearance, described hypothetical sexual acts between you, made sexually demeaning remarks, and so on	12.0
Obtaining and/or exposing your private information without your permission	10.7
Altering or taking over your electronic identity or persona	10.7
Sending messages that directly or indirectly threatened to harm you, your friends, family, pets, possessions, and so on	8.0
Enlisting others electronically to harass you online or offline	8.0
Tracking your whereabouts using a global positioning system (GPS) device in a cellphone, car, and so on.	4.0
Sending pornographic/obscene images or messages that seemed targeted at you (i.e., not spam)	2.7
Sending threatening pictures or images	1.3
Attempting to disable your computer, cellphone, and so on	1.3
"Bugging" your car, home, or office	1.3

Table 3 Demographic variables, cyberstalking experiences, threat perception, and emotional and psychological impact of University A victims subgroup: intercorrelations and descriptive statistics (N = 75).

Variables	1	2	3	4	5	6	7	8	9
1. Age	—								
2. Gender	−.38**	—							
3. Ethnicity	−.08	.14	—						
4. Checklist total	−.16	.24*	−.01	—					
5. IES-R Avoidance	−.06	.03	.36**	.12	—				
6. IES-R Intrusion	−.01	−.04	.23*	.15	.79**	—			
7. IES-R Hyperarousal	−.04	−.01	.20	.15	.69**	.82**	—		
8. IES-R Total	−.04	0	.31**	.14	.94**	.93**	.86**	—	
9. TPS-Threat	.04	−.22	.10	.14	.25*	.28*	.22	.27*	—
M	21.71	—	—	2.31	6.28	3.16	2.23	11.67	9.88
SD	1.68	—	—	2.65	7.10	4.53	3.17	13.65	6.73
Range	19–30	—	—	0–15	0–29	0–18	0–15	0–53	0–30
α	—	—	—	—	.88	.88	.77	.94	.84

Note. Checklist total = Cyberstalking Victimization Questionnaire; IES-R = Impact of Events-Revised Scale; TPS = Threat Perception Scale.
** $p < .01$.
* $p < .05$.

Study 2 Sample from University S

In response to the findings of Study 1, victims' coping strategies became an added area of investigation. The Brief COPE scale and the Help-Seeking Possibilities Questionnaire were included.

Results

Sample Demographics

Out of 215 survey respondents ($M = 21.61$ years, $SD = 1.53$), 70 participants (32.6%) reported experiencing at least 1 of the items on the Cyberstalking Victimization Questionnaire. We performed further analysis on a subsample of 38 participants ("victims") who sufficiently completed the subsequent sections of the survey form. Table 4 reports their demographics.

Cyberstalking Experience

The most frequent cyberstalking behavior experienced was "sending excessively needy or demanding messages to you" (52.6%) (Table 5).

Perceived Threat of Cybervictimization

TPS-Threat subscale scores ranged from 0 to 30 ($M = 11.0$, $SD = 8.18$) (Table 6). Males ($M = 7.46$, $SD = 6.96$) and females ($M = 12.84$, $SD = 8.28$) did not differ in threat perception levels, $t(36) = -2$, p = n.s.

Emotional and Psychological Impact

IES-R total scores ranged from 0 to 51. An IES-R total score of 33 or more indicates the possible presence of PTSD. In this sample, 3 participants (7.9%) had a total score of 33 and above. Of these, 2 were male and 1 was female.

Coping Strategies

The most commonly used coping strategy was Acceptance (Table 7).

Views Toward Help-Seeking Possibilities

Participants were generally supportive and positive toward most of the items in the Help-Seeking Possibilities Scale (Table 8). The top three statements that received the most support were: "I think software should be made available, which will help stop the cyberstalker from contacting the victim online," "Websites educating individuals about cyberstalking should be made available to the public," and "I think there should be a specific law in Singapore to deal with cyberstalking cases.[2]" The top three statements that received the least agreement were: "I think having the police give a stern warning to the cyberstalker is enough to deal with the cyberstalker," "I think that existing laws in Singapore are effective in dealing with cyberstalking," and "I think there should be a law to deal with cyberstalking, but I am unwilling to testify in court."

Table 4 Demographic characteristics and prevalence of cyberstalking for the University S sample (N = 215) and "victims" subgroup (N = 38).

	Study sample		"Victims" subgroup	
Variable	*N*	%	*N*	%
Gender				
Male	68	31.6	13	34.2
Female	147	68.4	25	65.8
Cyberstalking experience				
0	145	67.4		
1 or more types	70	32.6		
Variable	*M*	*SD*	*M*	*SD*
Age	21.61	1.53	21.37	1.57

[2] At the time of the survey, Singapore's Protection from Harassment Act had yet to be introduced in the legal and law enforcement systems.

Table 5 Frequencies of cyberstalking behaviors experienced by University S victims subgroup (N = 38).

Cybervictimizaton behavior	Frequency (%)
Sending excessively needy or demanding messages from to you	52.6
Monitoring your online profiles, away messages, and so on	34.2
Sending messages that inappropriately shared information about the sender's life, body, family, hobbies, sexual experiences to you	26.3
Sending poetry, song lyrics, e-cards, messages implying a more intimate relationship than you had with the person	23.7
Sending sexually harassing messages that commented on your appearance, described hypothetical sexual acts between you, made sexually demeaning remarks, and so on	23.7
Spreading rumors or embarrassing information about you via email, I-M, text message, online profiles, blogs, and so on	15.8
Obtaining and/or exposing your private information without your permission	15.8
Posting or distributing pictures of you without your consent	13.2
Falsely representing him/herself online or via another	10.5
Enlisting others electronically to harass you online or offline	10.5
Sending messages that directly or indirectly threatened to harm you, your friends, family, pets, possessions, and so on	7.9
Sending pornographic/obscene images or messages that seemed targeted at you (i.e., not spam)	5.3
Altering or taking over your electronic identity or persona	5.3
Attempting to disable your computer, cellphone, and so on	5.3
Sending threatening pictures or images	2.6
Tracking your whereabouts using a global positioning system (GPS) device in a cellphone, car, and so on	0
"Bugging" your car, home, or office	0

Table 6 Demographic variables, cyberstalking experiences, threat perception, and emotional and psychological impact of University S victims subgroup: intercorrelations and descriptive Statistics (N = 38).

Variables	1	2	3	4	5	6	7	8	9
1. Age	—								
2. Gender	−.58**	—							
3. Ethnicity	.33*	.17	—						
4. Checklist total	.05	.14	.12	—					
5. IES-R Avoidance	−.08	.11	.09	.13	—				
6. IES-R Intrusion	.02	0	.09	−.07	.64**	—			
7. IES-R Hyperarousal	.04	−.13	0.13	−.09	.60**	.87**	—		
8. IES-R Total	−0.3	.03	.05	.03	.91**	.90**	.86**	—	
9. TPS-Threat	−.11	.32	−.02	.17	.36*	.36*	.33*	.40*	—
M	21.37	—	—	2.53	7.89	3.79	2.61	14.29	11.0
SD	1.57	—	—	2.01	7.21	4.51	3.04	13.17	8.18
Range	19–26	—	—	0–8	0–27	0–16	0–11	0–51	0–30
α	—	—	—	—	.87	.88	.61	.92	.88

Note. Checklist total = Cyberstalking Victimization Questionnaire; IES-R = Impact of Events-Revised Scale; TPS = Threat Perception Scale.
** $p < .01$.
* $p < .05$.

Table 7 Summary of Cronbach's Alpha, means, and SDs for coping responses of University S Victims Subgroup (N = 38).

		Female (N = 25)		Male (N = 13)		Total (N = 38)	
	α	*M*	*SD*	*M*	*SD*	*M*	*SD*
Active coping	.82	3.20	1.94	3.77	2.13	3.39	1.99
Planning	.82	3.00	1.80	3.77	1.88	3.26	1.84
Positive reframing	.84	2.92	1.82	3.15	1.99	3.00	1.86
Acceptance	.85	4.28	2.59	4.15	2.38	4.24	2.49
Humor	.97	3.64	2.58	3.92	2.75	3.74	2.61
Religion	.83	2.48	1.61	2.31	1.32	2.42	1.50
Use of emotional support	.84	3.04	2.17	3.38	2.06	3.16	2.11
Use of instrumental support	.98	3.12	2.15	3.23	2.09	3.16	2.10
Self-distraction	.93	3.20	2.12	3.23	2.09	3.21	2.08
Denial	.69	1.92	.86	2.31	1.03	2.05	.93
Venting	.80	2.80	2.06	2.46	1.27	2.68	1.82
Substance use	.92	1.68	.75	2.23	1.17	1.87	.94
Behavioral disengagement	.92	1.76	.88	2.46	1.39	2.00	1.12
Self-blame	.64	2.20	1.38	2.38	1.12	2.26	1.29

Table 8 Responses toward help-seeking possibilities by University S victims subgroup (N = 38).

Help-seeking possibilities	Average mean response
I think softwares should be made available, which will help stop the cyberstalker from contacting the victim online	2.79
Websites educating individuals about cyberstalking should be made available to the public	2.79
I think there should be a specific law in Singapore to deal with cyberstalking cases	2.76
I think there should be a helpline available for victims of cyberstalking and stalking incidents	2.76
I think there should be an agency which can be contacted any time for victims of cyberstalking and stalking incidents	2.73
I think telephone service providers (TSPs) should assist in stopping the cyberstalker by blocking the stalker from contacting you	2.73
I think receiving education on cyberstalking, through public campaigns targeted at the young, can help to prevent cyberstalking from happening in the first place	2.67
I think Internet Service Providers (ISPs) should assist in stopping the cyberstalker by blocking the stalker from contacting you	2.64
Victims should be provided with a court-appointed third party for mediation	2.55
I think an injunction ordered by the court is effective in dealing with the cyberstalker	2.55
I think ISPs should assist in stopping the cyberstalker by ensuring that all users signing up for internet service accounts provide accurate particulars	2.55
I think TSPs should assist in stopping the cyberstalker by terminating the stalker's number	2.42
I think having a known third party (e.g., a mutual friend) involved for mediation is effective in stopping the cyberstalker	2.42
I think ISPs should assist in stopping the cyberstalker by deleting the stalker's internet service	2.36
I think there should be a law to deal with cyberstalking, but I am unwilling to make a police report	2.24
I think a restraining or protection order is effective in dealing with the cyberstalker	2.24
I think there should be a law to deal with cyberstalking, but I am unwilling to testify in court	2.12
I think that existing laws in Singapore are effective in dealing with cyberstalking	2.09
I think having the police give a stern warning to the cyberstalker is enough to deal with the cyberstalker	1.85

Table 9 Demographic characteristics and prevalence of cyberstalking for the Polytechnic sample (N = 317) and "victims" subgroup (N = 187).

	Study sample		"Victims" subgroup	
Variable	*N*	%	*N*	%
Gender				
Male	102	32.2	65	34.8
Female	215	67.8	122	65.2
Not reported	7	2.2	6	3.2
Cyberstalking experience				
0	141	44.5		
1 or more types	176	55.5		
Variable	*M*	*SD*	*M*	*SD*
Age	18.38	1.28	18.39	1.10

Study 3 Sample from High-School Equivalents

Study 2 was replicated on a younger age group, comprising students from several polytechnics (i.e., high-school equivalents) in Singapore to obtain a more holistic picture of the cyberstalking issue among emerging adults in Singapore.

Results

Out of 317 survey respondents (M = 18.38 years, SD = 1.28), 176 participants (55.5%) reported experiencing at least 1 item on the Cyberstalking Victimization Questionnaire. Several participants who scored 0 but self-reported notable cyberstalking incidents in the open-ended section were included. We performed further analysis on a subsample of 187 participants. Table 9 reports their demographics.

Cyberstalking Experience

The most frequent cyberstalking behavior experienced was "monitoring your online profiles, away messages, etc." (40.1%) (Table 10).

Perceived Threat of Cybervictimization

TPS-Threat subscale scores ranged from 0 to 27 (M = 9.09, SD = 7.09) (Table 11). Males (M = 7.32, SD = 7.40) had lower levels of threat perception compared to females (M = 10.23, SD = 6.77), $t(185) = -2.52$, $p < .01$.

Emotional and Psychological Impact

IES-R total scores ranged from 0 to 55 out of a maximum 88. An IES-R total score of 33 or more indicates the possible presence of PTSD. In this sample, 13 participants (6.95%) had a total score of 33 and above. Of these, 4 were male and 9 were female.

Coping Strategies

The most commonly used coping strategy was Humor (Table 12).

Views Toward Help-Seeking Possibilities

Participants were generally supportive and positive toward most of the items in the Help-Seeking Possibilities Questionnaire (Table 13). The top three statements that received the most support and that participants most tended to agree with were: "I think ISPs should assist in stopping the cyberstalker by blocking the stalker from contacting you," "I think telephone service providers (TSPs) should assist in stopping the cyberstalker by blocking the stalker from contacting you," and "I think there should be a helpline available for victims of cyberstalking and stalking incidents." The top two statements that received the least support were: "I think having the police give a stern warning to the cyberstalker is enough to deal with the cyberstalker" and "I think that existing laws in Singapore are effective in dealing with cyberstalking."[3]

[3] At the time of the survey, Singapore's Protection from Harassment Act had yet to be introduced in the legal and law enforcement systems.

Table 10 Frequencies of cyberstalking behaviors experienced by Polytechnic victims subgroup (N = 187).

Cybervictimization behavior	Frequency (%)
Monitoring your online profiles, away messages, and so on	40.1
Sending excessively needy or demanding messages to you	38.5
Sending poetry, song lyrics, e-cards, messages implying a more intimate relationship than you had with the person	35.8
Spreading rumors or embarrassing information about you via email, I-M, text message, online profiles, blogs, and so on	27.3
Posting or distributing pictures of you without your consent	25.1
Sending messages that inappropriately shared information about the sender's life, body, family, hobbies, sexual experiences to you	21.4
Obtaining and/or exposing your private information without your permission	20.9
Falsely representing him/herself online or via another	20.3
Sending sexually harassing messages that commented on your appearance, described hypothetical sexual acts between you, made sexually demeaning remarks, and so on	16.6
Altering or taking over your electronic identity or persona	16.0
Sending messages that directly or indirectly threatened to harm you, your friends, family, pets, possessions, and so on	14.4
Sending threatening pictures or images	13.9
Attempting to disable your computer, cellphone, and so on.	10.2
Enlisting others electronically to harass you online or offline	9.6
Sending pornographic/obscene images or messages that seemed targeted at you (i.e., not spam)	9.1
Tracking your whereabouts using a global positioning system (GPS) device in a cellphone, car, and so on	6.4
"Bugging" your car, home, or office	5.9

Table 11 Demographic variables, cyberstalking experiences, threat perception, and emotional and psychological impact of Polytechnic victims subgroup: intercorrelations and descriptive statistics (N = 187).

Variables	1	2	3	4	5	6	7	8	9
1. Age	—								
2. Gender	.02	—							
3. Ethnicity	−.09	−.05	—						
4. Checklist total	−.02	−.10	−.01	—					
5. IES-R Avoidance	.05	.09	.16*	.12	—				
6. IES-R Intrusion	−.05	0	.08	.14	.67**	—			
7. IES-R Hyperarousal	−.04	0	.11	.20**	.71**	.87**	—		
8. IES-R Total	0	.05	.14	.16*	.92**	.89**	.91**	—	
9. TPS-Threat	.02	.20**	−.10	.10	.36**	.38**	.38**	.41**	—
M	18.39	—	—	3.32	5.81	2.39	2.24	10.43	9.09
SD	1.10	—	—	3.71	7.28	4.22	3.65	13.76	7.09
Range	16–22	—	—	0–17	0–25	0–24	0–19	0–66	0–27
α	—	—	—	—	.88	.90	.77	.93	.84

Note. Checklist total = Cyberstalking Victimization Questionnaire; IES-R = Impact of Events-Revised Scale; TPS = Threat Perception Scale.
** $p < .01$.
* $p < .05$.

Table 12 Summary of Cronbach's Alpha, means, and SDs for coping responses of Polytechnic victims subgroup (N = 187).

		Female (N = 122)		Male (N = 65)		Total (N = 187)	
	α	*M*	*SD*	*M*	*SD*	*M*	*SD*
Active coping*	.93	3.33	2.14	2.63	1.99	3.09	2.11
Planning	.92	3.38	2.16	2.75	2.05	3.16	2.14
Positive reframing	.91	3.22	2.07	2.75	2.10	3.06	2.09
Acceptance*	.82	4.02	2.33	3.26	2.44	3.76	2.39
Humor	.96	4.11	2.54	3.51	2.59	3.90	2.56
Religion	.86	2.90	1.87	2.52	1.92	2.77	1.89
Use of emotional support*	.90	3.12	2.02	2.48	1.84	2.90	1.98
Use of instrumental support**	.93	3.20	2.09	2.38	1.82	2.92	2.03
Self-distraction	.88	3.36	2.14	2.72	2.18	3.14	2.17
Denial	.89	2.63	1.72	2.48	1.98	2.58	1.81
Venting	.74	2.65	1.52	2.43	1.92	2.57	1.67
Substance use	.87	2.02	.98	1.94	1.40	1.99	1.14
Behavioral disengagement	.88	2.25	1.26	2.42	2.02	2.31	1.57
Self-blame	.89	2.17	1.16	2.14	1.63	2.16	1.33

** $p < .01$.
* $p < .05$.

Table 13 Responses toward help-seeking possibilities by Polytechnic victims subgroup (N = 156).

Help-seeking possibilities	Average mean response
I think Internet Service Providers (ISPs) should assist in stopping the cyberstalker by blocking the stalker from contacting you	2.72
I think telephone service providers (TSPs) should assist in stopping the cyberstalker by blocking the stalker from contacting you	2.71
I think there should be a helpline available for victims of cyberstalking and stalking incidents	2.69
I think softwares should be made available, which will help stop the cyberstalker from contacting the victim online	2.68
I think there should be a specific law in Singapore to deal with cyberstalking cases	2.68
I think there should be an agency which can be contacted any time for victims of cyberstalking and stalking incidents	2.67
I think ISPs should assist in stopping the cyberstalker by ensuring that all users signing up for internet service accounts provide accurate particulars	2.58
Websites educating individuals about cyberstalking should be made available to the public	2.56
I think receiving education on cyberstalking, through public campaigns targeted at the young, can help to prevent cyberstalking from happening in the first place	2.51
Victims should be provided with a court-appointed third party for mediation	2.51
I think TSPs should assist in stopping the cyberstalker by terminating the stalker's number	2.44
I think ISPs should assist in stopping the cyberstalker by deleting the stalker's internet service	2.43
I think having a known third party (e.g., a mutual friend) involved for mediation is effective in stopping the cyberstalker	2.37
I think an injunction ordered by the court is effective in dealing with the cyberstalker	2.35
I think there should be a law to deal with cyberstalking, but I am unwilling to make a police report	2.29
I think a restraining or protection order is effective in dealing with the cyberstalker	2.27
I think there should be a law to deal with cyberstalking, but I am unwilling to testify in court	2.19
I think that existing laws in Singapore are effective in dealing with cyberstalking	2.02
I think having the police give a stern warning to the cyberstalker is enough to deal with the cyberstalker	1.94

GENERAL DISCUSSION ON THREE SINGAPORE SURVEYS

The prevalence rates of cyberstalking (27.7–55.5%) were not unlike those found in previous studies of cyberstalking (Alexy et al., 2005; Baum et al., 2009; Bocij, 2003; Fisher et al., 2002; Jerin & Dolinsky, 2001; Spitzberg & Hoobler, 2002). These numbers indicate that cyberstalking is experienced by a significant proportion of emerging adults; out of every 10 emerging adults, 2–5 would have experienced at least 1 form of cyberstalking behavior. Alarmingly, the sample of high-school students (Study 3) produced an exceptionally high prevalence rate of cyberstalking (55.5%) never before seen in other studies of electronic aggression. Senior high-school students may be particularly at risk for cyberstalking due to the nature of local school interactions and individual cyberhygiene habits. The anonymity of the internet may lead to lowered inhibitions (Workman, 2008) and less discretion in posting content (Kraft & Wang, 2010). Caruso and Salaway (2008) found that some students remain unaware of or unconcerned about how their privacy and security may be compromised online. Such mediating variables were not examined in this exploratory study and warrant further investigation in future research.

The most frequent type of cyberstalking behavior experienced (i.e., receiving excessively needy or demanding messages) implied the perpetrator's desire for greater intimacy. It was also inferred that the relational cyberstalking behaviors had a persistent quality (e.g., monitoring online profiles). Spitzberg and Cupach (1998) classify such behavior as ORI, in which persistent unwanted pursuit and invasion of an individual's privacy is carried out by a (cyber)stalker who assumes an intimate relationship. Emerging adults are at a developmental stage where they seek intimacy in the form of close friends and romantic relationships (Arnett, 2000; Erikson, 1950). A recent study reported that jealousy/insecurity was the most common motivation for cyberstalking; the second most common motivation for cyberstalking was humor for males and negative emotion for females (Kellerman, Margolin, Borofsky, Baucom, & Iturralde, 2013). It is in this context of emotionally intense interactions between emergent adults that the need for relationship intimacy may become a precipitating or perpetuating factor in cyberstalking. The ambiguous nature of cyberspace interaction does not allow for the immediate clarification, verification, and correction of verbal and non-verbal cues seen in face-to-face interaction (Spitzberg & Cupach, 2003). A romantic pursuit behavior that might be appropriate and welcomed in one context might be perceived as intrusive and annoying in another.

Levels of perceived threat were not found to be gender specific for older samples (Study 1 and Study 2), although for the younger sample, males had lower levels of threat perception as compared to females (Study 3). Cupach and Spitzberg (2000) reported that females were more likely to appraise unwanted pursuit behaviors as threatening, annoying, upsetting, and privacy-invading. ORI behaviors lie on a continuum, from a majority of behaviors exhibiting "mild" forms of intrusion (e.g., sending poetry, e-cards) that do not meet the socially-accepted definition of stalking (Dutton & Winstead, 2006), to behaviors that are clearly distressing and intimidating (e.g., sending threatening messages showing an intent to hurt victim and family members) and that may constitute serious stalking behavior. Research has shown that ORI may initially be harmless but eventually jeopardizes the safety and privacy of the victim(s) (Nadkarni & Grubin, 2000; Ravensberg & Miller, 2003). Thus, it seems appropriate that cyberstalking be tackled with a graduated response, ranging from broader preventive measures (e.g., public education) to mid-level forms of aid (e.g., helplines and seeking the aid of service providers) to legal restitution means (e.g., laws criminalizing cyberstalking).

Self-reported post-traumatic symptomology, across all three samples, is consistent with prior literature indicating that there are victims who have experienced significant levels of threat, annoyance, and unhappiness (Maple et al., 2011; Pathé & Mullen, 1997). Our findings suggest that victims of cyberstalking tend to use a wide range of coping strategies. We found age-related differences in preferred coping strategies—older undergraduates preferred acceptance measures (Study 2), whereas younger students preferred humor as a coping strategy (Study 3). Although both samples appeared to favor response-focused emotion-regulation strategies, we could not draw inferences about the types of coping strategies most likely to be beneficial or disadvantageous to the victim.

Despite their best efforts, victims may lack the right resources and support needed to effectively ameliorate the situation (Beran et al., 2012; Björklund, Häkkänen-Nyholm, Sheridan, & Roberts, 2010; Campbell, 2003). Participants were agreeable to a wide range of aid, from service providers to helplines to public education. Our findings particularly suggest that students support specific laws in Singapore to deal with cyberstalking cases. There are limits to the extent to which the individual can singlehandedly locate and approach his or her aggressor(s). At present, efforts have been made in some countries to enact legislature with varying levels of scope and specificity (i.e., the United States of America, Australia, the United Kingdom, Hong Kong, India, Japan, and Singapore; Ryall, 2013; WHOA, 2012). Most jurisdictions prosecute cyberstalking under a more general "stalking" offense (Clough, 2010; Modena Group on Stalking, 2007; van der Aa, 2011). With the introduction of the Protection

From Harassment Act 2014 in Singapore, criminal penalties and civil remedies are now available to resolve online stalking and stalking situations, particularly the more vicious and damaging cases. Legislation plays a dual role: not only does it provide restitution and recompense where an egregious abuse of privacy has been enacted, but it also acts as a powerful norm that encourages society to exercise caution and self-regulation of online behavior (Soon, 2013). Whether or not this would translate into local societal norms for more respectful online behavior, this is an exciting and meaningful area of research that future psychosociological researchers can look into.

STUDY LIMITATIONS

As with all studies, there were limitations. First, the newly released DSM-5 (American Psychiatric Association [APA], 2013) has revised the conceptualization of PTSD, shifting it from the class of anxiety disorders into a new class of trauma and stressor-related disorders. In addition, the cluster of symptoms has been modified to improve diagnostic accuracy (Friedman, Resick, Bryant, & Brewin, 2011), bringing the clinical utility of the IES-R into question. Regardless, the phenotype of PTSD remains similar across DSM-IV-TR and DSM-5. Hence the IES-R appears to remain a useful tool in measuring the severity of posttraumatic symptoms. Second, data about the types of and frequencies with which participants engaged in ICT were not collected. A recent study reported that computer use variables and ICT usage patterns predicted the likelihood of cyberstalking (Lindsay & Krysik, 2012). Third, responses to TPS, IES-R, and the Brief COPE were referenced to the participants' "worst cyberstalking experience" of the Cyberstalking Victimization Questionnaire. It is not known whether they had been victims of multiple perpetrators, or whether multiple perpetrators used a single online persona for attack, or how the idiosyncratic evaluation and experience of "worst" varied between participants—and whether these scenarios could have affected participants' responses on those measurement scales. This is something that would be worthwhile to note in fine-tuning subsequent cyberstalking surveys.

CONCLUSION

The phenomenon of ICT-mediated interaction and communication has resulted in easier access to victims and the easier commission of crimes against innocents. As a society crosses the threshold into the

digitalized age, preventative and intervention measures—in personal, entrepreneurial, educational, and, in particular, legislative domains—are a vital means of regulating behavior in a space that so effortlessly empowers the perpetrator by removing him or her from time, space, and a face.

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EXAMPLES OF CYBERSTALKING

Cyberstalking covers a broad range of behaviors, including but not limited to:

1. sending an excessive amount of email or text messages over a period of time ("flooding" or "spamming");
2. gaining unauthorized access to the victim's cellphone or email inbox;

3. electronic surveillance of the victim's social networking profile;
4. inciting third parties in online chatrooms or message boards to join in the cyberharassment ("cyberstalking-by-proxy");
5. posting defamatory or personal photos or videos or text about the victim on public webpages ("cybersmearing");
6. using GPS tracking devices to monitor the victim's whereabouts;
7. using ICT services or accessing online databases to gather financial, personal, and other information about the victim;
8. sending insulting and threatening messages to the victim's coworkers or family members;
9. disabling the webcam light indicator to take surreptitious photos or videos of the victim;
10. sabotaging the victim's electronic device by sending viruses or malware programs;
11. falsely assuming the name and attributes of the victim (identity theft).

(Blankstein & Rossen, 2013; Bocij, 2003; Burgess & Baker, 2002; Finn, 2004; Finn & Banach, 2000; McGrath & Casey, 2002; Mullen, Pathé, & Purcell, 2008; National Center for Victims of Crime, 2010; Southworth, Finn, Dawson, Fraser, & Tucker, 2007; Spitzberg & Hoobler, 2002).

SURVEY QUESTIONNAIRE

Has anyone repeatedly pursued or monitored you through the use of technology (and making you afraid and worried) by ...

- Sending poetry, song lyrics, e-cards, messages implying a more intimate relationship than you had with the person. [ ] YES [ ] NO
- Sending excessively needy or demanding messages to you. [ ] YES [ ] NO
- Sending messages that inappropriately shared information about the spender's life, body, family, hobbies, sexual experiences to you. [ ] YES [ ] NO
- Spreading rumors or embarrassing information about you via email, I-M, text message, online profiles, blogs, and so on. [ ] YES [ ] NO
- Posting or distributing pictures of you without your consent. [ ] YES [ ] NO
- Sending pornographic/ obscene images or messages that seemed TARGETED AT YOU (i.e., NOT SPAM). [ ] YES [ ] NO
- Sending messages that directly or indirectly threatened to harm you, your friends, family, pets, possessions, and so on. [ ] YES [ ] NO
- Sending sexually harassing messages that commented on your appearance, described hypothetical sexual acts between you, made sexually demeaning remarks, and so on. [ ] YES [ ] NO

- Sending threatening pictures or images. [ ] YES [ ] NO
- Obtaining and/or exposing your private information without permission. [ ] YES [ ] NO
- Monitoring your online profiles, away messages, and so on. [ ] YES [ ] NO
- Altering or taking over your electronic identity or persona. [ ] YES [ ] NO
- Falsely representing him/ herself online or via another electronic medium. [ ] YES [ ] NO
- Enlisting others electronically to harass you online or offline. [ ] YES [ ] NO
- Attempting to disable your computer, cell phone, and so on. [ ] YES [ ] NO
- "Bugging" your car, home, or office. [ ] YES [ ] NO
- Tracking your whereabouts using a global positioning system (GPS) device in a cell phone, a car, and so on. [ ] YES [ ] NO

Help-Seeking Possibilities

Please read each item and then indicate to what extent you support what the item says.

	1 Disagree	2 Tend to disagree	3 Neutral	4 Tend to agree	5 Agree
1. I think that existing laws in Singapore are effective in dealing with cyberstalking. *[*e.g., *Computer Misuse Act, Miscellaneous Offense (Public Order and Nuisance) Act]*					
2. I think there should be a specific law in Singapore to deal with cyberstalking cases.					
3. I think there should be a law to deal with cyberstalking, but I am unwilling to make a police report.					

	1 Disagree	2 Tend to disagree	3 Neutral	4 Tend to agree	5 Agree
4. I think there should be a law to deal with cyberstalking, but I am unwilling to testify in court.					
5. Victims should be provided with a court-appointed third party for mediation.					
6. I think having the police give a stern warning to the cyberstalker is enough to deal with the cyberstalker.					
7. I think a restraining or protection order is effective in dealing with the cyberstalker.					
8. I think an injunction ordered by the court is effective in dealing with the cyberstalker. *["Injunction" meaning—court order, by which an individual is required or restrained from doing a particular act.]*					
9. I think there should be an agency which can be contacted any time for victims of cyberstalking and stalking incidents.					
10. I think there should be an agency which can be contacted any time for victims of cyberstalking and stalking incidents.					

(Continued)

	1 Disagree	2 Tend to disagree	3 Neutral	4 Tend to agree	5 Agree
11. I think there should be a helpline available for victims of cyberstalking and stalking incidents.					
12. I think internet service providers (ISP) should assist in stopping the cyberstalker in the following areas: a. Deleting the stalker's internet service. b. Ensuring that all users signing up for internet service accounts provide accurate particulars. c. Blocking the stalker from contacting you.					
13. I think telephone service providers (TSP) should assist in stopping the cyberstalker in the following areas: a. Terminating the stalker's number. b. Blocking the stalker from contacting you.					
14. I think softwares should be made available, which will help stop the cyberstalker from contacting the victim online.					

	1 Disagree	2 Tend to disagree	3 Neutral	4 Tend to agree	5 Agree
15. I think receiving education on cyberstalking, through public campaigns targeted at the young, can help to prevent cyberstalking from happening in the first place.					
16. Websites educating individuals about cyberstalking should be made available to the public.					
17. I think having a known third party (e.g., a mutual friend) involves for mediation is effective in stopping the cyberstalker.					

5

Is there a "Best" Stalking Typology?: Parsing the Heterogeneity of Stalking and Stalkers in an Australian Sample

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INTRODUCTION

Stalking is a complex and multifaceted behavior that arises from a wide variety of situations, motivations, and psychopathologies. The behavior used by a stalker is limited only by their imagination and what they believe will achieve their goals, whether that is to frighten the victim, begin a relationship with them, or to obtain justice or some other outcome. The complexity and variety of stalking cases means that it can be difficult in a specific case to ascertain the potential motivation of the stalker, the nature of any risks present, and what might be best done to resolve or manage the situation. This has led to multiple attempts to classify stalkers and stalking situations in different

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ways that reduce complexity, facilitate communication, and help to guide responses (Pinals, 2007).

Over the past 25 years, the number of stalking classification schemes has proliferated (Spitzberg & Cupach, 2007). However, there has been very limited evaluation of existing classification schemes, meaning there is little information to guide potential users about which system of classification has the greatest empirical support, or might be most useful to them. In this chapter, we review some of the most commonly used stalking classification systems, and examine whether any of them appears to more accurately capture and reflect the characteristics and behavior of a sample of Australian stalkers. The findings of our analysis are used to inform recommendations for practitioners when choosing which stalking classification system to use.

OFFENSE AND OFFENDER CLASSIFICATION SCHEMES

Offense and offender classification schemes can be developed in various ways. A traditional applied approach is what we will term *rationally derived*. These typologies are developed via a "top-down" process of expert judgment that has ideally been influenced by theory, empirical evidence, and practical experience. Another approach is what we will call *empirically derived*. These typologies are developed through a "bottom-up" process involving multivariate statistical analyses of offense and/or offender data. This produces clusters or themes that are ideally interpreted through the lens of theory and, less often, practical experience. Both approaches have their strengths and weaknesses. Without an initial empirical anchor, rationally derived typologies are potentially prone to the biases of the developer. However, because they are often developed by those with considerable clinical or applied experience, the explanations for the various types are often rich in detail with a focus on practical utility. Empirically derived typologies have the strength of being based on data. As such, they can provide valuable information as to the base rates of particular features of an offense type. Nonetheless, they also run the risk of being influenced by the idiosyncrasies of the sample on which they were developed, thus potentially limiting their applicability to other samples. Furthermore, an empirical approach may not be as rich in its explanations of the various types, unless it is based on a very well-defined theory.

It is important to note that offense typologies, including those developed for stalkers, should not be misconstrued as taxonomies. A taxon is something that naturally exists and can be defined as a non-arbitrary category (Meehl, 1992; Schmidt, Kotgov, & Joiner, 2004). Offense typologies,

even those that have been developed through statistical analyses, do not meet such lofty standards. Indeed, they can be seen as psychological fictions not unlike the "reasonable man" in law (Davis & Bennett, 2016; Davis, Rainbow, Fritzon, West, & Brooks, 2018). Canter and Youngs (2009), authors that have developed many statistical offense typologies, acknowledge this and note that the classification of offense behavior should be seen as a search for "themes" rather than "types." They offer the analogy of the Munsell (1912) color circle in which discernible themes of color can be identified. Similar colors appear contiguous to one another (e.g., orange and red) while vastly different colors are not (e.g., red and blue). While most people can differentiate the red and orange themes, the actual demarcation point is fuzzy. Different individuals may identify the cut-point differently, even if they can all agree that it is within a particular region.

This is how offense typologies need to be considered in applied and clinical settings. The categories are not mutually exclusive. Certain types or themes of offense behavior will have more in common than others, but often several contiguous and more similar types can be differentiated from other types (such as red and orange being clearly differentiated from blue). When used in this fashion, typologies provide a valuable function in applied settings, helping to make sense of the mass of offense information and offering hypotheses that may explain motivation or the function of offense behavior. While one would hope that typologies would have a degree of verisimilitude, this is never going to be at the magnitude of a true taxonomy. But this does not mean that typologies cannot serve a useful explanatory or predictive function, particularly if they are based on theory. A parsimonious classification system that manages to capture the full scope of a complex phenomenon is useful because it clarifies and simplifies, providing the user with mental short-cuts and helping to organize their thinking.

A BRIEF HISTORY OF STALKING CLASSIFICATION SCHEMES

Given the complexity and variety of stalking behavior and stalkers themselves, it is understandable that typologies very quickly emerged in the stalking literature to better describe the phenomenon. Most of these systems were rationally derived, usually by practitioners based on stalkers they had recruited in research or seen in practice (Boon & Sheridan, 2001; Mohandie, 2004; Mullen, Pathé, Purcell, & Stuart, 1999; Zona, Palarea, & Lane, 1998), or by academics based on review of research literature or additional data collection (Canter & Ioannou, 2004).

Regardless of how they were developed, stalker/stalking classification systems tend to make use of one or more key characteristics of the situation, the stalker, and their behavior to classify:

1. *The nature of the prior relationship between the stalker and victim*.
   Some typologies use very simple relationship categories (e.g., known/unknown to the victim [Melton, 2000] or domestic/non-domestic [Wright et al. 1996]), while others are more detailed (e.g., ex-partners, workmates, professional contacts, casual acquaintances, strangers; Pathé, 2002).
2. *The mental state of the stalker*.
   The presence and nature of mental illness features in many typologies, most commonly distinguishing between stalkers with delusions about the victim and those without.
3. *The apparent motivation of the stalker*.
   Categorization of motive is common, and most often differentiates between those whose stalking is driven by a desire for closeness or intimacy and feelings of love, and those whose stalking is driven by a desire for revenge or retaliation and feelings of anger or jealousy (e.g., Harmon, Rosner, & Owens', 1998 amorous and persecutory motives). Some tie together apparent motivation with the apparent function of the stalking behavior, like that of Spitzberg and Cupach (2002) who differentiated between emotionally expressive and instrumental modes of behavior.

These three characteristics have been combined in various ways to generate in excess of 20 different categorizations of stalking/stalkers (and there are very likely more that we are unaware of) (Spitzberg & Cupach, 2007). As noted by Pinals (2007), different classification systems are developed for different purposes, and the categories included will inevitably reflect the goals and background of those developing it (Mullen, Pathé, & Purcell, 2000, 2009). As such, classifications developed by clinicians are far more likely to make reference to psychiatric status than those developed by law enforcement, despite the fact that the two professions frequently work with much the same population of stalkers (McEwan & Strand, 2013). Classification systems developed by those working with stalking victims (e.g., Melton, 2000; Pathé, 2002) will likely reflect somewhat different pressures and goals, potentially having a greater emphasis on stalking as an extension of intimate partner abuse as these victims more frequently access such services (Burgess et al., 1997).

While there are many published stalking typologies, over the past two decades only a limited number have gained use outside of the confines of academia or the professional group that developed them. Six of the most influential typologies are described in more detail below and are then evaluated in a sample of Australian stalkers.

Zona, Sharma, and Lane (1993)

Zona, Sharma, and Lane's typology was the first to be proposed and remains influential. The authors were mental health (Zona and Sharma) and law enforcement (Lane) professionals who worked in the Los Angeles Police Department's Threat Management Unit and they developed the typology to help them understand cases. Most of the 74 cases on which their typology was based had been referred to police by the entertainment (reflecting the location of the unit) or mental health industries, with a lesser number referred internally by police. Cases were included if an investigation was opened by police due to the person's obsessional behavior. Zona and colleagues identified three conceptually distinct types of stalker. The *Erotomanic* were strangers to the victim who were clearly suffering from a primary erotomanic delusion about the victim based on diagnostic criteria for delusional disorder. The *Love-obsessional* were similarly strangers to the victim, and included those with erotomanic delusions that were part of a wider psychotic illness, as well as those who did not believe that the victim loved them but were fixated on their own love for the victim. Finally, the *Simple-obsessional* group were those who had a prior relationship of some sort with the victim (including both ex-partners and various types of acquaintanceship) and the stalking was intended to either resume the relationship after it had broken down, or seek some type of retribution. They identified personality disorder as common in this group.

Wright et al. (1996)

This law enforcement-derived typology was based on a review of relevant literature and discussion with investigators who had worked on stalking cases. This informed a 148-item questionnaire that was tested with 10 stalking victims, reducing the number of items to 46. This checklist was then completed by another 20 victims, and the results of all 30 cases used to develop a typology based on several dimensions. The first is the nature of the relationship. This is described as *non-domestic* or *domestic*. Non-domestic stalkers were further divided into *organized* stalkers and *delusional* stalkers. The second consideration is the content of the communication, which can be either non-delusional or delusional. The third consideration is the level of aggression (low, medium, high). The final three considerations are the level of victim risk (low, medium, high), the motive of the stalker (infatuation, possession, anger/retaliation, or other), and the outcome of the case (legal system, suicide, or psychiatric).

Mullen et al. (2000)

This typology was originally described in Mullen et al. (1999) and then further elaborated in a book by the first three authors published in 2000. The authors are psychiatrists (Mullen and Pathé) and a psychologist (Purcell) and the typology was developed originally from a sample of 145 stalkers assessed at a forensic psychiatric clinic in Melbourne, Australia. Stalkers were referred by courts, police, and correctional services as well as by medical practitioners and three were self-referrals. Only stalkers whose behavior persisted for at least 4 weeks and involved 10 intrusions were considered. The typology is multi-axial with types based on the combination of the prior stalker–victim relationship, the stalker's apparent initial motivation for seeking unwelcome contact with the victim, and the presence and nature of specific types of psychopathology. The five types begin with the *Rejected*, who commence stalking after the breakdown of a close relationship. Former sexual intimate stalkers belong to this type, but it may also include others in close relationships, such as family members or friends. Rejected stalkers are motivated by a desire for reconciliation, revenge, or both, and are not typically afflicted by severe mental illness. The *Resentful* target strangers or acquaintances who they believe have wronged them in some way. Resentful stalkers seek revenge against their victims as a way to regain power and control and frequently present with paranoid personality traits or frank psychoses that contribute to their sense of injustice. *Intimacy Seekers* stalk acquaintances or strangers with whom they believe they have a loving relationship, often as the result of severe mental illness. Their stalking may be accompanied by a potentially delusional conviction that either the victim loves them in return, or inevitably will love them if they only persist. *Incompetent Suitors* are seeking to establish friendships or sexual relationships with strangers or acquaintances. Motivated by loneliness or lust, approaches are often unsophisticated and intrusive. Incompetent Suitors are not necessarily affected by mental illness, but often exhibit impaired social skills or interpersonal deficits. Finally, the *Predatory* targets strangers or acquaintances for the purpose of obtaining sexual gratification, which is often deviant in nature. Predatory stalkers are not characterized by serious mental illness, although diagnoses of paraphilia, substance abuse, personality disorder, and depression are not uncommon (McEwan & Pathé, 2014).

Boon and Sheridan (2001)

This typology was developed by two forensic psychologists who worked with police and stalking victims, with the aim of informing law enforcement

management of stalking cases. Using a sample of 124 victim accounts, Boon and Sheridan identified four stalker types based on a combination of prior relationship, behavior, victim impact, apparent motivation, and stalker characteristics. The four types are: *Ex-partner* harassment/stalking which, as the name suggests, is entirely determined by the nature of the previous relationship between stalker and victim; *Infatuation* harassment, which is essentially those seeking an intimate relationship with the victim, but whose motivation is not affected by major mental illness; *Delusional Fixation*, who are similarly seeking a relationship/expressing their love for the victim but whose behavior is more intrusive and apparently motivated by delusional beliefs. Finally, *Sadistic* stalking captures a wider group than the name might suggest. This group consist of acquaintances who stalk with an intent to frighten or disempower the victim and may include those with a sexually deviant motivation.

Canter and Ioannou (2004)

Canter and Ioannou developed a further typology that differed methodologically from its predecessors. Their approach reflected the overall themes of the investigative psychology approach to research, whereby models are developed and refined through analysis of offense behavior. Canter and Ioannou identified four themes of behavior described in the published stalking literature: sexuality, intimacy, aggression–destruction, and possession. They then investigated these themes in 50 stalking cases from the Threat Management Unit of the Los Angeles Police Department. Using a non-metric form of multidimensional scaling (MDS), they were able to identify these four themes and their corresponding offense behaviors.

The *Sexuality* theme included the variables gifts, letters, sexual content in communications, invites contact, steals personal property, destroys personal property, follows/visits, and accesses victim's house. The *Intimacy* theme included the variables reveals knowledge, researches the victim, asks personal details, breaks restraining order, and surveillance. The *Possession* theme included contact after intervention, contact another, drive by, and family abuse. Finally, the *Aggression–Destruction* theme included the behaviors threats, threaten another, physical violence, confrontation, public defamation, and threatens suicide.

The advantage of this typology is that it is based on overt descriptions of offense behavior. Given its statistical underpinnings it also provides valuable information as to the base rates of offense behavior within stalking, which can be invaluable when considering whether individual

behaviors are important for differentiation. However, there is an unavoidably subjective nature to the interpretation of MDS results. Accordingly, one may argue whether the demarcation lines between the contiguous regions of sexuality and intimacy are optimal. Indeed, Canter and Youngs (2012) re-analyzed the MDS results eight years later and suggested that they could also be interpreted through the victim role model (i.e., victim viewed by the offender as an object, a vehicle, or a person).

Mohandie, Meloy, McGowan, and Williams (2006)

Mohandie and colleagues' typology is the most recent of those widely used, and perhaps the most simple. Originally proposed by police psychologist Kris Mohandie, based on his work at the Los Angeles Threat Management Unit (Mohandie, 2004), the RECON (Relationship and Context) typology was subsequently elaborated on in Mohandie et al. (2006). The RECON typology was rationally derived from a review of existing typologies and taxonomies and intended to overcome their perceived weaknesses. The RECON typology proposes four types of stalkers based on the nature of the previous relationship (Intimate versus Acquaintance, referred to as Type I cases) or, where there was no previous relationship, the context in which the victim is targeted (Public Figure or Private Stranger, referred to as Type II cases). *Intimate* stalkers are those who have previously had a dating or sexual relationship with the victim; *Acquaintances* are all other stalkers previously known to the victim (e.g., workmates, former friends, customers/clients); *Public Figure* stalkers are those who are targeting a stranger to them who is a public figure; while *Private Stranger* captures all stalkers who target strangers who are not public figures.

WHICH TYPOLOGY TO USE?

Given the number of stalker classification schemes that are available, an obvious question is how to select the "best" one—or the one that will be most useful in practice. To be useful, a classification system must do more than just slap a name on a group to differentiate it from another group. The various types must tell the user something that is pertinent to their role. In the case of stalking, a useful typology is one that says something about what can be expected about stalkers in each category, and potentially informs what to do to stop their behavior (Mullen et al., 2000/2009). Boon and Sheridan's (2001) typology developed for law enforcement provides a good example of this principle. In their system, four types of stalkers are identified and described, with each type then

linked to specific risk outcomes and case management suggestions. Mullen et al.'s (1999) motivational typology developed in a forensic mental health setting has been used to similar effect. Common diagnoses and likely risk outcomes are described for each type of stalker, accompanied by specific recommendations about psychiatric and psychological treatment and law enforcement responses that are likely to be most effective (Mullen et al., 2000/2009; Mullen et al., 2006).

Both Boon and Sheridan's and Mullen and colleagues' typologies are clearly useful in the sense that they can inform subsequent action. However, not all classification systems are equally useful in all settings. For example, Mullen and colleagues' scheme requires an assessment of the stalker's mental state to distinguish between some types. While this is straightforward for those with mental health training, it may not be possible for a police officer to determine whether or not someone is delusional, meaning the typology is less useful for them (it should be noted that this is not always the case—most police officers would be able to surmise that a delusional belief may be present if the stalker is insisting that they have a profound connection to and share a loving relationship with the victim when they have never actually met them outside of the stalking situation). No single typology is likely to be "the best" as "best" will differ depending on the needs and role of the person using it (Mullen et al., 2000/2009).

AIM AND APPROACH OF THE CURRENT STUDY

In this chapter we use a new analysis of an Australian sample of stalkers to help practitioners make an informed decision about which stalking typology might be best for them, given their circumstances. We examine some of the most commonly used typologies of stalking to identify whether any of them appear to more effectively capture the behavioral and personal characteristics of the Australian stalkers. Based on our findings, we make a number of recommendations about which typology/typologies might be most useful to practitioners in different settings.

METHOD

Sample

The sample used in analyses consisted of 241 stalkers (7.7% female, *M* age = 34.63 years, *SD* = 10.52) responsible for 256 separate stalking cases (ranging in duration from 1 day to 17.5 years; $Q_1 = 4$, *Mdn* = 12,

Q_3 = 32). Participants were assessed at a community forensic mental health clinic during one of two data collection periods between 2002 and 2007 or 2010 and 2013 (clients referred multiple times for the same stalking episode were only counted once using data from their first assessment). Participants were all referred due to concerns about stalking behavior. In 219 (85.5%) cases, the participant had been charged with stalking or stalking-related offenses during the index stalking episode, with the majority of these individuals referred by probation services. In the remaining cases, the stalking had usually attracted concern from an agency involved with the stalker, such as a mental health or other social service. In these cases clients were invited to participate if there was evidence from the referral and assessment that their harassing behavior involved multiple separate intrusions (e.g., separate telephone calls, following, or other unwanted intrusive behavior) directed toward a specific victim over a period of more than two weeks (a two-week threshold has been identified in epidemiological research as statistically distinguishing between persistent, more damaging stalking and self-limiting harassment; Purcell, Pathé, & Mullen, 2004). Information about the nature of clients' stalking behavior and the stalking episode more generally, the personal characteristics, mental state, and the presence of mental illness were collected at the time of the initial assessment, supplemented by later file review. Information was drawn from a combination of legal documentation (e.g., official criminal records or police accounts of stalking) as well as client self-report and assessing clinician opinion.

Statistical Analysis

The various offense behaviors and offender characteristics were analyzed via non-metric MDS using the PROXSCAL module in the Statistical Package for the Social Sciences (SPSS). MDS provides a spatial representation of a triangular association matrix, such that variables that co-occur most frequently will plot close together. It thus provides a useful way of viewing each variable and its relationship with every other variable in order to identify their underlying structure (Davis, 2009; Kruskal & Wish, 1978). Essentially, the null hypothesis when using such analyses is that there will be no discernible structure with regards to regional contiguity, such that interpretation is not possible (Canter & Heritage, 1990).

All variables in the analysis were dichotomous. Where data was missing this was coded as not present. Given the archival nature of the data, where a coding of not present may not necessarily mean that the variable was not actually present, MDS was calculated using the Lance

and Williams non-metric dissimilarity measure (aka the Bray–Curtis non-metric coefficient). This coefficient does not take into account joint non-occurrence of variables and has been used successfully in many studies of offense behavior (see Davis, 2009 for further discussion).[1]

RESULTS

A two-dimensional MDS solution provided a Stress-I index of .198 in 25 iterations (Tucker's coefficient of congruence = .98). This indicated that the resulting MDS plot was an acceptable fit to the data. Figure 1 shows the MDS configuration with frequency contours superimposed. It should be noted that there are some rather large areas of the plot

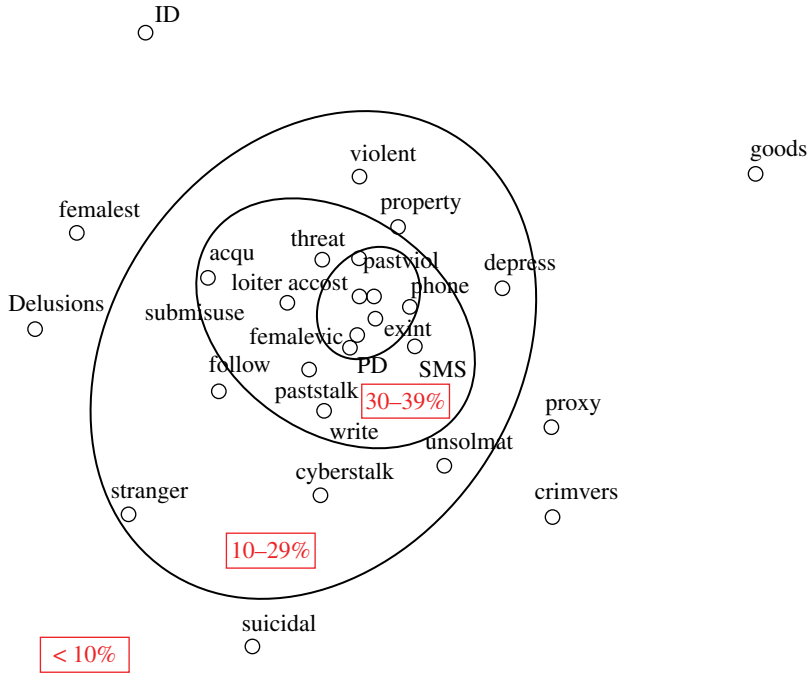

Figure 1 Two-dimensional MDS plot showing frequency of variables.

[1] From a 2×2 table where a = cases of co-occurrence, b and c = cases of differences, and d = joint non-occurrence; the Lance and Williams measure is calculated as $(b+c)/(2a+b+c)$. Thus, joint non-occurrence does not contribute to the strength of this association coefficient (see Davis, 2009).

which are bereft of plotted variables. This can indicate weak areas in the data or missing elements of the underlying facets (Canter & Heritage, 1990). This was important to consider when interpreting the current results (Figure 1).

It can be seen that the MDS solution produced a radex structure characterized by a core of high-frequency variables that are the defining features of the entire sample (each occurring in more than 40% of cases). As the variables radiate out from the center of the plot, less common items that are indicative of more discernible regions can be seen (Davis, 2009; Guttman, 1954). The core features of the sample were female victim (present in 84.2% of the total sample), phone calls (55.6%), personality disorder or problematic traits (51.9%), ex-intimate (52.7%), past violence outside stalking (46.5%), making explicit threats (42.3%), and stalker substance misuse at the time of stalking (41.9%). This reflects the fact that this was primarily a sample of male stalkers with problematic personality issues and a history of violence, a substantial proportion of whom were stalking their female ex-intimate partners.

Outside of the core characteristics of this sample, it was admittedly difficult to identify discrete themes that did not overlap with others. Accordingly, we chose a more liberal interpretation strategy than would ordinarily be the case with MDS, which included some overlap in the items in each region.[2] Figure 2 shows the two-dimensional MDS solution with discernible regions that correspond to some degree with existing stalking typologies. The core features described above are featured within the orange region (Figure 2).

Keeping in mind the various stalking typologies described above, we were able to identify three potential themes within the data that were somewhat consistent with these typologies, although they did overlap considerably.[3] The largest discernible area is denoted by the red border. Variables that were unique to this area were sending SMS (36.1%), depressive disorder (18.3%), cyberstalking (17%), sending unsolicited materials (15.8%), criminal versatility (7.1%), and stalking by proxy (5.6%). Two further rare variables were at the edge of the plot and were also thought to belong to this general theme: suicidal ideation at time of stalking (4.1%) and order/cancel goods and services (0.5%). Perhaps unsurprisingly, the unique features of this region essentially enveloped the common features of the sample and are in many ways a more

[2] It is our opinion that this overlap is to some degree the nature of stalking behavior itself. This will be described in detail below.

[3] It should be noted that the variable "intellectual disability" (4.6%) did not appear to fit with any of the identified regions in the MDS solution.

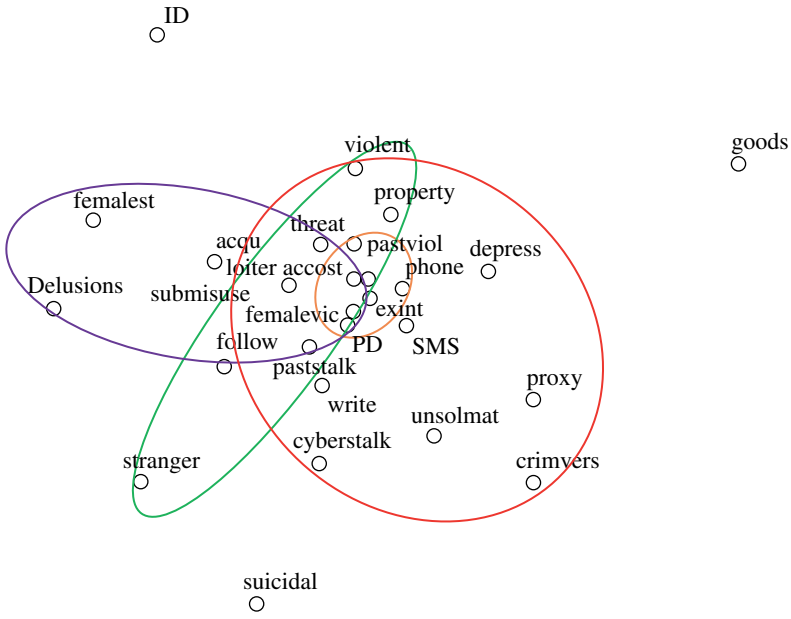

Figure 2 Two-dimensional MDS plot with exploratory partitioning of stalking themes.

nuanced extension of the core features. Accordingly, these features should, to some degree, form a scale with some degree of internal consistency. Kuder–Richardson-20 (KR(20)) coefficients were calculated for these variables and the degree of internal consistency was not particularly high (KR(20) = .32).[4] This indicates that these variables have a small degree of consistency and reflect an underlying dimension. Interestingly, the KR(20) values reduced if any variable was removed from the analysis, with the exception of cyberstalking. With this item removed internal consistency increased slightly (KR(20) = .34). This suggests that this item is not as related to the others, which is also supported by its position at the periphery of the red area on the MDS plot.

The red region of the plot also encompasses a number of further items that overlap with the other regions. These included loitering or spying (38.6%), accosting the victim during the index offense (34.9%), previous stalking (32.8%), writing to the victim (32.4%), property damage (24.5%), and violence in index episode (21.6%). When viewed alongside the

[4] We considered the use of KR(20) coefficients to be appropriate in reporting MDS results as such analyses can sometimes be criticized for being overly subjective in their interpretation.

variables unique to this region, these additional items appear related and add to the overall theme of the sample. However, their inclusion resulted in a slightly lower KR(20) value of .30. This was not unexpected, as variables that are shared with other regions of the plot will lower the internal consistency of a scale. Interestingly, KR(20) improved, to an admittedly very small degree, if the variables "violence" or "cyberstalking" were removed from the analysis (to .32 in either case).

The second discernible region of the MDS plot is enclosed in the purple area. This was a smaller area that included variables decidedly different to those in the red region. The items unique to this region were acquaintance victim (32.8%), female stalker (8.7%), and delusional beliefs (8.3%). Together these variables had a higher degree of internal consistency than the red region (KR(20) = .47). This value reduced if any of the three variables were removed. The purple region also included further variables that overlapped with other regions. These were following the victim (21.6%), accosting the victim, loitering, or spying, previous stalking, and writing to the victim. As expected, the inclusion of these shared variables did reduce the degree of internal consistency (KR(20) = .32). This increased very slightly if the variable "writing to the victim" was removed (KR(20) = .33).

The final discernible region of the MDS plot is included in the green area. This had just one unique variable, stranger victim (14.5%), although it was an important item in terms of differentiating this region from others. The shared variables in this region were following the victim, previous stalking, loitering or spying, accosting the victim, property damage, and violence in index episode. These variables would appear to take on a new meaning when paired with the stranger victim item, which is important to note when reviewing individual stalking cases. This region had a reasonable degree of internal consistency (KR(20) = .41). Interestingly, this would increase if the variables stranger victim or previous stalking were removed (to .45 and .48 respectively). This indicates that the stranger victim region of the plot was poorly covered by the data in this study. This is also unsurprising given the fact that the sample primarily consisted of ex-intimate stalkers. It is also clear from the fact that stranger victim is plotted in an area that is largely bereft of other variables.

DISCUSSION

The aim of this chapter was to discern whether any of the most influential typologies of stalking were more strongly supported by behavior and offender characteristic data collected from Australian stalking

cases and, secondly, to use this analysis to make recommendations about which typologies might be most useful to inform practice in different settings.

SUPPORT FOR EACH OF THE COMMONLY USED STALKING TYPOLOGIES

One of the most striking aspects of the results is that we found at least some degree of support for all of the commonly used typologies described in detail in the introduction. The most obvious feature of the MDS solution was the presence of two clusters differentiated by the nature of the prior relationship to the victim (former intimates versus other relationship types). This is consistent with Wright et al.'s (1996) early separation of domestic and non-domestic stalking types, which has to various degrees been echoed in subsequent typologies. Also consistent with Wright and colleagues' typology was the clear identification of a "non-domestic" group of stalkers affected by delusions in the current sample. However, while differentiation by relationship type was observable in this Australian sample, behavioral overlap between the two main relationship groups suggests that it may be difficult to distinguish between them based purely on their behavior, without additional knowledge about the context of the stalking episode or the stalker themselves.

The typologies with the least obvious support in the current analysis were those of Zona et al. (1993) and Mohandie et al. (2006). Zona and colleagues separated strangers from all other prior relationships, which is not reflective of the MDS solution in this sample. However, it is possible that these results are due to substantial differences in the characteristics of the stalkers and stalking in the current sample compared to those who influenced Zona and colleagues' thinking in the 1990s. Their typology was developed in the unusual setting of a Los Angeles police unit dealing with many strangers stalking public figures in addition to more common stalking scenarios. Conversely, approximately half of this Australian sample were ex-partners, with the majority of others being former acquaintances and only 15% strangers (with only a few stranger victims being public figures). This may explain the fact that stranger victim was conspicuous in the MDS plot by its distance from other variables. This is a good indication that there is missing information from a particular facet in the solution. We interpreted the stranger victim variable as being indicative of a "stranger" theme, despite the absence of any other unique contributing variables. It may be that, had we had access to additional vari-

ables more closely reflecting those relied upon by Zona and colleagues, a theme similar to their Erotomanic or Love-obsessional stalkers may have appeared. Given that they were contiguous in the plot, it is possible that such a theme may share the delusion variable with our acquaintance theme.

Similarly, the failure to find clear support for Mohandie and colleagues' RECON typology is likely to be a consequence of the differing nature of the samples from which they were developed. More than a third of the North American sample were stranger victims (the majority being public figure victims sourced from a similar police unit to Zona and colleagues' sample), which differs considerably from our sample where acquaintances were far more common than strangers. Nonetheless, the clear differentiation between ex-intimates and "others" does provide some support for the basic relationship aspect of the RECON typology. As observed previously with regards to Wright and colleagues' typology, the current results suggest that differentiation between relationship types on the basis of the stalker's behavior alone may be quite difficult given the degree of overlap in behavior.

The results appear to reflect Mullen et al.'s (2000) motivational typology to a more obvious degree; nonetheless, we did not find clear evidence for five distinct types as they originally proposed. There is evidence for the Rejected ex-intimates forming a discernible theme, and it is arguable that the Resentful type (who are similarly aggrieved and intimidating in their behavior) would also fall within the red region of the plot. Despite the relationship difference between these two types (Resentful targeting largely acquaintances and Rejecting targeting largely former intimates), Mullen and colleagues describe somewhat similar motivations for their behavior, which is often intended to rectify a grievance or perceived mistreatment. Given this, the two types should theoretically plot contiguously and many of the behaviors used in the MDS analysis should be present in both types of stalking, with the prior relationship being the main differentiating feature. It is possible that the Resentful stalkers could be identified as a separate theme encompassing the top of the red region in the MDS solution, engaged in a similar range of aggressive behaviors as many Rejected stalkers, but also capturing the acquaintance relationship type and excluding the ex-partner variable.

The MDS solution did not provide clear differentiation between Mullen and colleagues' Incompetent Suitor and Intimacy-seeking types, both of whom are pursuing a relationship with the victim. However, based on previous descriptions of the most common motivations of acquaintance stalkers experiencing delusions, we interpreted

the purple region as an omnibus "relationship seeking" theme. One could hypothesize that the "intellectual disability" variable should have been part of this theme, potentially reflecting the interpersonal and social skills deficits of some Incompetent Suitors. However, given that it was plotted on its own and had low prevalence in this sample, we are cautious in suggesting that it necessarily will be common among cases in this theme.

The last of Mullen and colleagues' stalker types, the Predatory, was not observable in the MDS solution (despite being identified in 24 cases when the typology was applied rationally). There are multiple possible explanations for this. Others have previously suggested that the Predatory type is dissimilar to all other stalkers and these individuals should potentially be conceptualized as sex offenders rather than stalkers per se (Pinals, 2007). Their absence from the solution may be interpreted as support for this hypothesis. However, it is equally possible that their absence reflects a lack of variables specific to the sexually deviant motivations proposed by Mullen and colleagues as specific to this type. As was the case with our failure to reflect Zona et al.'s stranger-based types, it may be that if additional variables were available, the inadequately covered stranger theme may have shown some differentiation between strangers pursuing relationships and those with sexually predatory motivations. This would be consistent with Canter and Ioannou's (2004) differentiation between the sexuality and intimacy themes observed in their sample of American stalkers.

In regard to Canter and Ioannou's wider typology, the behaviors in our dataset were very different to those used in their analyses. Despite this, some clear overlap between identified themes is observable, particularly when the variables in both samples are similar. The variables reflecting their aggression, sexuality, and intimacy themes all fall within the red region of the current solution. We did not have variables representing their possession theme, and they did not have variables reflecting our relationship-seeking purple region.

There is also clear overlap between the current solution and the types proposed by Boon and Sheridan (2001). As observed with the Mullen and colleagues' typology we found support for the ex-intimate type, and for a combination of the infatuation harassment and delusional fixation types who are both pursuing a relationship with the stalking victim. There was little support for Boon and Sheridan's sadistic type of stalker, unless one considers some of the more aggressive type behaviors in the upper portion of the red region as reflecting this type (as previously discussed in relation to Mullen et al.'s Resentful group).

CHOOSING WHICH TYPOLOGY TO USE

The first thing to note when providing any advice as to the choice of stalking typology is to emphasize that all of the extant typologies have considerable similarities, and the findings of this study suggest they have a broadly similar level of empirical support. There is a distinction in all typologies, and in our current results, between those who stalk former intimates and those who stalk strangers or acquaintances. However, these results suggest that the behaviors engaged in by former intimates, strangers, and acquaintance stalkers have a striking degree of overlap. It may be that stalkers are characterized by similar behavior that is used in the pursuit of quite different goals, perhaps more so than offenders who engage in other kinds of behavior (e.g., sexual offending, see Knight, 1999). This may provide at least a partial explanation for why stalking typologies with different emphases have proliferated, as different authors in different settings attribute different motivations to similar sets of behavior, depending on the particular characteristics of their settings and cases. It also suggests that investigators (and others) may not be able to rely upon analysis of a stalker's behavior alone when developing investigative hypotheses.

This study suggests that all of the typologies discussed will have some utility in guiding decision-making at different stages of the criminal justice process, but none can be seen as the "best" for all situations. It may be that typologies that are more closely tied to the nature of the prior relationship between stalker and victim (where that information is available) are a good starting point for frontline services such as law enforcement or victim advocacy/support. Such typologies provide immediate information about potential areas of risk, such as increased likelihood of physical violence by former partners (McEwan, Daffern, MacKenzie, & Ogloff, 2017; McEwan, Mullen, MacKenzie, & Ogloff, 2009), and the potential role of mental illness in driving the stalking behavior (McEwan & Strand, 2013). However, to make more informed decisions about the nature of the stalking episode and potential sequelae, such basic information must be supplemented by a more fine-grained analysis focusing particularly on the presence and nature of aggression for ex-intimates and the actual presence of mental ill health for acquaintances and strangers. Our results suggest that the identification of the apparent motivation for the stalking behavior, while an inherently difficult task, is crucial to understanding and responding, as the behaviors that make up the stalking episode are in and of themselves less discriminative. For example, the behavior of a Resentful acquaintance and a Rejected ex-partner may appear very similar, and so should not be relied on in isolation to guide risk management or to generate investigative hypotheses about a potential suspect.

Fundamentally, this study suggests that the choice of stalking classification scheme should be informed by the context of the assessment and the level of information available to the assessor or analyst, rather than the idea that one typology is inherently "better" than another. Typologies that rely purely on relationship are essential in many settings where there is limited information, but as the motivations of stalkers do not wholly align with relationship types, the inferences that can be drawn from prior relationship alone will also be limited. We suggest that as more information becomes available about the stalker, their behavior, and the wider context, assessors/analysts should be willing to adopt more complex typologies to help to inform their actions and those of other professionals. For example, in a policing environment, a relationship-based typology may be most helpful at the initial investigation stage and may help to guide immediate risk management. But if the motivation or function of the stalking becomes clearer during an initial interview with the offender, or if evidence that the stalker is seriously mental ill becomes available, the assessor/analysis could shift to using a more complex typology that could do more to inform subsequent interviews and risk management approaches.

CONCLUSION

This study of Australian stalkers confirms the assertions of the authors of the most commonly used stalking typologies. The nature of the victim's prior relationship to the stalker, the stalker's apparent motivation, and the presence and nature of any stalker mental illness appear to be the most important variables to attend to when differentiating between stalker types, with the stalking behaviors themselves considerably overlapping between the different types of stalkers proposed in the various schemes. This study provides support for using the most common stalker/stalking classification schemes, but suggests that, where they can be applied, schemes that use more complex systems of classification have the greatest potential to inform subsequent investigation, treatment, and management of the stalking situation.

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6

Public Familiarity and Understanding of Stalking/ Harassment Legislation in Australia, the United Kingdom, and the United States

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INTRODUCTION

Stalking is a serious and widespread problem that results in a range of social, psychological, physical, and financial harms, many of them severe (Scott, 2019; Spitzberg & Cupach, 2007). Although definitions vary, the term "stalking" is generally used to refer to a pattern of behavior in which a person makes repeated attempts to impose unwanted communication and/or contact on another person (Mullen, Pathé, & Purcell, 2001; Mullen, Pathé, Purcell, & Stuart, 1999). Common behaviors include telephone calls, messages, and emails, as well as surveillance, following, and

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personal contact (Buhi, Clayton, & Surrency, 2009; Melton, 2012; Rosay, Wood, Rivera, Postle, & TePas, 2010). National estimates indicate that a significant proportion of the public have experienced stalking victimization during their lifetime. In Australia, the Personal Safety Survey reported that 17% of women and 7% of men had been stalked (Australian Bureau of Statistics, 2017); in the United Kingdom, the Crime Survey for England and Wales reported that 20% of women and 9% of men had been stalked (Office for National Statistics, 2018); and in the United States, the National Intimate Partner and Sexual Violence Survey reported that 16% of women and 6% of men had been stalked (Smith et al., 2018).

These estimates are concerning given the protracted nature of stalking and the range of harms associated with stalking victimization. For example, 16% of the Australian public who had experienced stalking victimization reported that their most recent experience had lasted between 1 and 2 years, 13% reported that it had lasted between 2 and 3 years, and 20% reported it had lasted more than 3 years (Australian Bureau of Statistics, 2017). With regard to the range of harms, stalking victims often experience social and psychological problems (e.g., reclusivity, reduced self-esteem, and helplessness) and make significant lifestyle changes (e.g., changes to routine, security, and employment) as a consequence of their victimization (Blaauw, Winkel, Arensman, Sheridan, & Freeve, 2002; Pathé & Mullen, 1997; Spitzberg, 2002). At "the more severe end of the spectrum," Pathé and Mullen (1997) found that 75% of stalking victims in their Australian sample experienced feelings of powerlessness, 37% fulfilled the criteria for post-traumatic stress disorder, and 24% had "seriously considered or attempted suicide" as a consequence of their victimization.

Despite the protracted nature of stalking and the range of harms associated with stalking victimization, national estimates in Australia, the United Kingdom, and the United States indicate that fewer than 50% of stalking victims report their experiences to the police (Australian Bureau of Statistics, 2017; Baum, Catalano, Rand, & Rose, 2009; Walby & Allen, 2004). Reasons for non-reporting include perceptions that experiences are minor and/or a personal matter, and that the police would not be able to help (Australian Bureau of Statistics, 2006; Baum et al., 2009; Dovelius, Öberg, & Holmberg, 2006; Galeazzi, Bučar-Ručman, DeFazio, & Groenen, 2009). The endorsement of myths that minimize victim harm and portray stalking as a form of courtship behavior (De Fazio, Sgarbi, Moore, & Spitzberg, 2015; Ervin, 2015; McKeon, McEwan, & Luebbers, 2015) may also reduce the likelihood of reporting experiences to the police. It is apparent, therefore, that perceptions are "central to the construction of stalking" and to determining whether a particular pattern of behavior is considered "reasonable" pursuit behavior or "unreasonable" stalking behavior (Mullen et al., 1999).

The centrality of perceptions to the construction of stalking has led to a growing body of research that examines the influence of various personal and situational characteristics on perceptions of stalking. With regard to participant characteristics, research suggests women are more likely than men to believe stalking scenarios (i.e., scenarios that depict situations that may or may not constitute stalking) are serious and will impact negatively on the victim (e.g., Dennison & Thomson, 2002; Finnegan & Timmons Fritz, 2012), as are Australian and US participants compared to UK participants (e.g., Scott, Rajakaruna, Sheridan, & Gavin, 2014, 2015). With regard to situational characteristics, research suggests stalking scenarios are more likely to be considered serious and to impact on the victim when the perpetrator intends to cause fear or harm (e.g., Dennison, 2007; Dennison & Thomson, 2002), and when the perpetrator is more, as opposed to less, persistent (e.g., Phillips, Quirk, Rosenfeld, & O'Connor, 2004; Scott et al., 2014). Furthermore, research suggests behavior is more likely to be considered stalking and to require police intervention when the perpetrator is a stranger rather than an ex-partner (e.g., Scott et al., 2015; Villacampa & Pujols, 2019), and to require police intervention when the perpetrator is a man and the victim is a woman rather than vice versa (e.g., Cass & Mallicoat, 2015; Cass & Rosay, 2012). Prior relationship and perpetrator–victim gender have received considerable attention because perceptions often differ from reality: applied research indicates that ex-partners are more likely to threaten and to use violence than strangers (e.g., James & Farnham, 2003; McEwan, Daffern, MacKenzie, & Ogloff, 2017), and that the impact of stalking victimization is similar irrespective of perpetrator–victim gender (e.g., Sheridan, North, & Scott, 2014; Strand & McEwan, 2012).

Differences between perceptions and reality matter because misperceptions and stalking myths may reduce the likelihood of victims, as well as their family and friends, identifying experiences as stalking (e.g., when the perpetrator is an ex-partner and/or a woman; Scott, in press). Although a number of factors likely contribute to the development and maintenance of these and other misperceptions (e.g., definitional differences and cultural norms), research has drawn attention to the importance of public understanding of stalking/harassment legislation (e.g., De Fazio et al., 2015; Scott et al., 2014, 2015). For example, De Fazio et al. examined student perceptions of stalking before and after the introduction of Italy's stalking legislation in 2009 and found reduced "adherence to stalking myths" in 2010 compared to 2007. This reduction highlighted the potential for legislation, and the associated media coverage, to have a positive impact on perceptions of stalking. It is important, therefore, that legislation achieves the right balance

between over-breadth (where reasonable pursuit behavior is considered unacceptable), and over-restriction (where unreasonable stalking behavior is considered acceptable; Ogilvie, 2000; Phillips et al., 2004).

The aforementioned difficulties associated with defining stalking clearly impact on legislation, with stalking/harassment legislation differing substantially both within and between countries. In Victoria, Australia, § 21A of the Crimes Act 1958 details the offense of stalking, which involves a person engaging in a course of conduct with the intention of causing another person (or multiple people) "physical or mental harm" or "apprehension or fear." According to the Crimes Act, a person has the intention to cause harm or fear if he or she knows, or ought to know, that a course of conduct would likely cause harm or fear.

In England and Wales, §§ 2 and 4 of the Protection from Harassment Act 1997 detail the less severe offense of harassment and the more severe offense of putting people in fear of violence.[1] The offense of harassment involves a person pursuing a course of conduct that he or she knows, or ought to know, amounts to harassment of another. The offense of putting people in fear of violence involves a person pursuing a course of conduct on at least two occasions that he or she knows, or ought to know, will cause another person fear that violence will be used against him or her. According to the Protection from Harassment Act, a person ought to know that a course of conduct amounts to harassment or will cause fear of violence if a reasonable person in possession of the same information would think the course of conduct amounts to harassment or would cause fear of violence.

In New York, §§ 120.45, 125.50, 120.55, and 120.60 of New York Criminal Procedure Law 1999 detail four offenses of increasing severity: stalking in the fourth, third, second, and first degree. The offense of stalking in the fourth degree involves a person intentionally engaging in a course of conduct that he or she knows, or ought to know, will cause another person "fear of material harm"; that he or she has been "clearly informed to cease" and that causes another person "material harm"; or that he or she knows, or ought to know, will cause another person "fear that his or her employment, business or career is threatened." According to New York Criminal Procedure Law, material harm relates to the physical health, safety, and property of the person, the person's family, and the person's acquaintances. Stalking in the third, second, and first degree build on stalking in the fourth degree via the inclusion of aggravating factors that increase the severity of the offense.[2]

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[1] Data for the present study were collected prior to the introduction of the Protection of Freedoms Act 2012. Therefore, the Protection from Harassment Act 1997 provided protection for the victims of both harassment and stalking at the time.

[2] Details regarding stalking in the third, second, and first degrees can be found at https://www.nysenate.gov/legislation/laws/PEN/120.50 (PEN/120.55, PEN/120.60).

When comparing legislation across the three jurisdictions, it is apparent that the Protection from Harassment Act 1997 is the least prescriptive, and that New York Criminal Procedure Law 1999 is the most prescriptive. Unlike legislation in Australia and the United States, the Protection from Harassment Act does not make reference to intent, harm, or extended victimization, and does not provide example stalking behaviors. With regard to New York Criminal Procedure Law, it is the only statute to make reference to the perpetrator being asked to stop his or her conduct (i.e., unwanted behavior).

Given the centrality of perceptions to the construction of stalking and the potential for legislation to have a positive impact on these perceptions, the present study examines public familiarity and understanding of stalking/harassment legislation in Australia, the United Kingdom, and the United States. More specifically, it explores whether public familiarity and understanding differ across three jurisdictions, and whether differences in public understanding reflect the respective legislation.

METHOD

Participants

A sample of 3,803 members of the public resident in Australia (n = 1,268), the United Kingdom (n = 1,263), and the United States (n = 1,272) was used to assess public familiarity with stalking/harassment legislation across three jurisdictions. Australian participants resided in the state of Victoria, UK participants resided in England, and US participants resided in the state of New York. In Australia, 630 (49.7%) participants were men and 638 (50.3%) were women with an average age of 39.41 years (SD = 11.97); in the United Kingdom, 633 (50.1%) participants were men and 630 (49.9%) were women with an average age of 38.77 years (SD = 11.16); and in the United States, 637 (50.1%) participants were men and 635 (49.9%) were women with an average age of 40.67 years (SD = 11.72).

Of this sample, 816 participants indicated that they were familiar with the stalking/harassment legislation in their jurisdiction and 547 participants provided descriptions of their understanding of this legislation. The remaining 269 participants provided either non-answers (e.g., "no idea" and "I know a bit about it") or "funny" answers (e.g., "stalking is bad … don't do it kids" and "you stalk, you pay, and don't walk") to the question and were therefore excluded from further analysis. Therefore, a subsample of 547 members of the public resident in Australia (n = 161), the United Kingdom (n = 156), and the United States (n = 230) was used

to assess public understanding of legislation across the three countries. In Australia, 87 participants were men (54.0%) and 74 (46.0%) were women with an average age of 41.64 years (SD = 11.96); in the United Kingdom, 84 participants (53.8%) were men and 72 (46.2%) were women with an average age of 38.20 years (SD = 11.51); and in the United States, 117 participants (50.9%) were men and 113 (49.1%) were women with an average age of 40.30 years (SD = 12.12).

Materials

Participants completed an online questionnaire that comprised a hypothetical stalking scenario; questions concerning perceptions of stalking, responsibility, and the most appropriate outcome; questions concerning familiarity and understanding of stalking/harassment legislation; and questions concerning demographic information (e.g., sex and age). Details of the hypothetical scenario and findings concerning perceptions of stalking, responsibility, and the most appropriate outcome have been reported in three previous studies (see Scott et al., 2014, 2015; Scott, Duff, Sheridan, & Rajakaruna, 2019). The present study reports on findings relating to public familiarity and understanding of legislation. Participants were asked "Are you familiar with the legislation governing unlawful stalking/harassment in your country/state?" (yes, no, unsure), and if the answer was "yes," they were asked "Please use the space provided below to describe your understanding of the legislation in as much detail as possible."

Procedure

Participants were recruited by Research Now (www.researchnow.com.au), a global online sampling and data collection company, who distributed emails to samples of panel members from the State of Victoria, England, and the State of New York. Data collection was completed during a two-week period, and all panel members received the equivalent of AU$1 for their participation. Interested panel members were directed to an informed consent page before deciding whether to participate in the study. Those who decided to participate were presented with an online questionnaire that took approximately 15 minutes to complete. They were then directed to a debrief page upon completion of the study. The study received approval from a university ethics committee and was conducted in accordance with the requirements of the Australian Government's National Statement on Ethical Conduct in Human Research, the British Psychological Society, and the American Psychological Association.

Analysis

The present study examines public familiarity and understanding of stalking/harassment legislation in Australia, the United Kingdom. and the United States. The data used to assess public familiarity with legislation (n = 3,803) comprised participants' responses (yes, no, unsure) to the following closed question: "Are you familiar with the legislation governing unlawful stalking/harassment in your country/state?" Chi-square analysis was performed to determine whether the proportion of participants who were familiar with the respective legislation differed across the three jurisdictions. An additional chi-square analysis was performed to determine whether the proportion of participants who provided non-answers or "funny" answers differed across the three jurisdictions.

The data used to assess public understanding of stalking/harassment legislation (n = 547) comprised the proportion of participants who provided information regarding their understanding of the respective legislation, as well as participants' responses (number of words and content of responses) to the following open question: "Please use the space provided below to describe your understanding of the legislation in as much detail as possible." Chi-square analysis was performed to determine whether the proportion of participants who provided information regarding their understanding of the respective legislation differed across the three jurisdictions. Analysis of variance was then performed to determine whether the number of words provided in participants' responses differed across the three jurisdictions. Finally, deductive and inductive content analyses were performed to analyze the content of participants' responses. The deductive coding focused on 10 response categories that were derived from the respective legislation (see Table 2). Analysis of variance was performed to determine whether the number of response categories covered by participants differed across the three jurisdictions. The inductive coding focused on the identification of subcategories within 8 of the 10 response categories, and followed the conventions outlined by Braun and Clarke (2006).[3] The content of participants' responses was coded by two of the authors, and 110 (20.1%) were independently coded by a third author. Cohen's kappa was calculated to provide a measure of agreement having controlled for the level of agreement expected by chance (Cohen, 1960).

[3] Inductive coding was not suitable for the penalty or statute response categories because the subcategories were predetermined (penalty: restraining/intervention order, imprisonment; statute: the Crimes Act 1958, the Protection from Harassment Act 1997 and New York Criminal Procedure Law 1999).

This process resulted in a Cohen's kappa of .88, demonstrating an "almost perfect" level of agreement (Landis & Koch, 1970).

FINDINGS

Public Familiarity

Of the participants, 816 (21.4%) answered "yes" to the question "Are you familiar with the legislation governing unlawful stalking/harassment in your country/state?," 1,848 (48.6%) answered "no," and 1,139 (30.0%) answered "unsure." Country comparisons revealed that there was a significant difference across jurisdictions in familiarity with the legislation, $\chi^2(4, N = 3{,}803) = 96.97, p < .001, \varphi_c = .11$. A higher proportion of US participants answered "yes" (30.6%), and a lower proportion of US participants answered "no" (42.8%), compared to Australian participants (17.0 and 52.8% respectively) and UK participants (16.7 and 50.3% respectively). However, of those who indicated familiarity with the legislation, 33.0% of participants provided non-answers or "funny" answers when asked to "Please use the space provided below to describe your understanding of the legislation in as much detail as possible." Country comparisons again revealed that there was a significant difference across jurisdictions, $\chi^2(2, N = 816) = 21.06, p < .001, \varphi_c = .16$. A higher proportion of US participants (40.9%) provided non-answers or "funny" answers compared to Australian and UK participants (25.5 and 26.1% respectively).

Public Understanding

Of the participants, 547 (14.4%) provided information regarding their understanding of the respective stalking/harassment legislation. Consistent with the familiarity analyses, country comparisons revealed a significant difference across jurisdictions in understanding of the legislation, $\chi^2(2, N = 547) = 18.76, p < .001$. A higher proportion of US participants (42.0%) provided information regarding their understanding of the respective legislation compared to Australian and UK participants (29.4 and 28.5% respectively). Content analysis of participant responses focused on 10 main response categories relating to their understanding of the respective legislation (see Table 1).

Participants included an average of 29.10 words in their responses ($SD = 28.70$, ranging from 3 to 304). Australian participants ($M = 31.99$, $SD = 38.37$) and UK participants ($M = 31.63$, $SD = 27.17$) included more words in their responses than US participants ($M = 25.36$,

Table 1 Number (proportion) of participants drawing on each response category.

Response category	Australia	United Kingdom	United States	Total
Penalty	64 (39.8)	62 (39.7)	107 (46.5)	233 (42.6)
Harassment	53 (32.9)	67 (42.9)	67 (29.1)	187 (34.2)
Unwanted behavior	52 (32.3)	36 (23.1)	63 (27.4)	151 (27.6)
Course of conduct	43 (26.7)	43 (27.6)	52 (22.6)	138 (25.2)
Example behaviors	42 (26.1)	31 (19.9)	46 (20.0)	119 (21.8)
Fear	40 (24.8)	40 (25.6)	37 (16.1)	117 (21.4)
Harm	20 (12.4)	16 (10.3)	35 (15.2)	71 (13.0)
Extended victimization	15 (9.3)	4 (2.6)	12 (5.2)	31 (5.7)
Statute	5 (3.1)	8 (5.1)	8 (3.5)	21 (3.8)
Intent	8 (5.0)	0 (0.0)	9 (3.9)	17 (3.1)

Note. Although UK participants did not refer to intent, a small proportion (7, 4.5%) referred to a person pursing a course of conduct that amounts to harassment of another person.

Table 2 Response categories and the presence or absence of each category in the respective stalking/harassment legislation.

Response category	CA 1958	PfHA 1997	NYPC 1999
Penalty	✓	✓	✓
Harassment	✘	✓	✓
Unwanted behavior	✘	✘	✓
Course of conduct	✓	✓	✓
Example behaviors	✓	✘	✓
Fear	✓	✓	✓
Harm	✓	✘	✓
Extended victimization	✓	✘	✓
Statute	✓	✓	✓
Intent	✓	✘	✓

Note. CA 1958 = Crimes Act 1958 in the state of Victoria; PfHA 1997 = Protection from Harassment Act 1997 in England and Wales; NYPC 1999 = New York Criminal Procedure Law 1999 in the state of New York.

SD = 20.28), $F(2, 544) = 3.41$, $p = .034$, $\eta^2 = .012$. Finally, participants covered an average of 2.00 response categories in their responses (*SD* = 1.39, ranging from 0 to 8), with a similar number being covered in each of the three jurisdictions (Australia: *M* = 2.12, *SD* = 1.55; United Kingdom: *M* = 2.02, *SD* = 1.30; United States: *M* = 1.90, *SD* = 1.32).[4]

Penalty

Of participants, 43% referred to the "penalty" response category. Country comparisons revealed that US participants (46.5%) were more likely than Australian and UK participants (39.8 and 39.7% respectively) to refer to this category. Regarding the content of responses, 31.6% of participants referred to the use of restraining/intervention orders to protect the victim:

> That a person may take out an intervention order should they feel threatened by the other person. (P246, Australia)
>
> If someone is giving you unwanted attention you can get a restraining order. (P795, United Kingdom)
>
> If a victim fears for their safety, they are allowed to get a restraining order. (P6173, United States)

A small proportion of participants (12.2%) commented that stalking can result in the perpetrator being imprisoned (e.g., "It is against the law in Britain to stalk or harass another person. Such behaviour could result in a jail sentence" P3918, United Kingdom), and a smaller proportion (1.8%) commented that stalking can result in the perpetrator receiving a fine (e.g., "Stalking is illegal and is punishable by fine" P3650, United States).

Harassment

Of participants, 34% referred to the "harassment" response category. Country comparisons revealed that UK participants (42.9%) were more likely to refer to this category than Australian and US participants (32.9 and 29.1% respectively). Regarding the content of responses, 65.8% of participants referred to the illegality of harassment (e.g., "It is unlawful to pursue a course of conduct which constitutes harassment to another" P5282, United Kingdom), and 55.1% used harass as a verb to represent non-defined behavior (e.g., "No-one is allowed to follow, harass, [make] nuisance telephone calls or make threats to another person" P177, Australia). Consistent with the specifics of the Protection

[4] Coverage ranged from 0 rather than 1 because 48 participants provided answers that could not be categorized into one of the 10 response categories.

from Harassment Act 1997, UK participants (71.6%) were most likely to refer to the illegality of harassment, followed by US participants (64.2%) and Australian participants (60.4%). In contrast, Australian and US participants (67.9 and 58.2% respectively) were more likely to use harassment as a verb than UK participants (41.8%).

A smaller proportion of participants (27.8%) provided a description of harassment in lay or legal terms:

> By harassment, I mean following, repeatedly calling, texting, knowing the other person's schedule so they can meet… (P510, United States)

> There are two types of harassment, 1) with fear and 2) without fear … Harassment with fear is when the victim fears personal attack or injury from the harasser. (P4267, United Kingdom)

Unwanted Behavior

Of participants, 28% referred to the "unwanted behaviour" response category. Country comparisons revealed that Australian participants (32.3%) were most likely to refer to this category, followed by US participants (27.4%) and UK participants (23.1%). Regarding the content of responses, 57.0% of participants referred to unwanted behavior without explicit mention of the victim asking the perpetrator to stop (e.g., "Pursuing unwanted advances towards a person … is unlawful under the classification of stalking" P1182, Australia), whereas 43.0% referred to unwanted behavior with explicit mention of the victim asking the perpetrator to stop (e.g., "Anti-stalking [legislation] provides that you cannot follow, harass or interfere with another's life after being told to stop" P1089, United States). Consistent with the specifics of New York Criminal Procedure Law 1999, US participants (54.0%) were more likely to refer to the victim asking the perpetrator to stop than Australian and UK participants (38.5 and 30.6% respectively).

Course of Conduct

Of participants, 25% referred to the "course of conduct" response category, with a similar proportion of participants referring to this category in each of the three jurisdictions. Regarding the content of responses, participants referred to behavior being repeated or excessive (55.8%), or to behavior continuing over a protracted period of time (42.8%):

> It is unlawful to stalk someone by following them and calling repeatedly. (P1434, United States)

> Stalking is when someone is harassed in some way by someone either in person, phone, letter etc. over a prolonged period of time. (P1131, United Kingdom)

A small proportion of participants (10.1%) used the exact terminology in their responses (e.g., "Stalking is committed when a person … engages in a course of conduct directed at another specific person" P2424, Australia). UK participants (16.3%) were most likely to use the exact terminology, followed by Australian participants (9.3%) and US participants (5.8%).

Example Behaviors

Of participants, 22% provided "example behaviors" when describing their understanding of the respective stalking/harassment legislation. Country comparisons revealed that Australian participants (26.1%) were more likely to provide example behaviors than UK and US participants (19.9 and 20.0% respectively). Regarding the content of responses, participants were most likely to give examples of the perpetrator contacting (contact: 78.3%) and/or following (follow: 42.5%) the victim, and least likely to refer to the perpetrator watching the victim (watch: 8.1%) and/or causing property damage (property: 5.8%):

> That one person cannot keep trying to remain in contact through phone or in person if the other one does not wish them to be so. (P4081, United Kingdom)
>
> If a person unlawfully follows to cause harm or distress to another this is harassment. (P1878, United States)
>
> Every person is entitled to live their lives without another person/persons invading their space and watching their movements. (P5652, Australia)
>
> Aggravated harassment is a more serious offense (two levels) with additional aggravating factors such as property damage… (P1085, United States)

Additional example behaviors included the perpetrator turning up at the victim's home (home: 15.8%), threatening the victim (threaten: 14.2%), and/or turning up at the victim's place of work (work: 14.2%):

> Following a person, contacting a person, entering or loitering a person's property … (P266, Australia)
>
> You do not harass, intimidate, threaten verbally or physically, or engage others to do so. (P2664, Australia)
>
> I think it's the person must not contact the other person in any way including calling, texting, following, going to the place of work … (P667, United Kingdom)

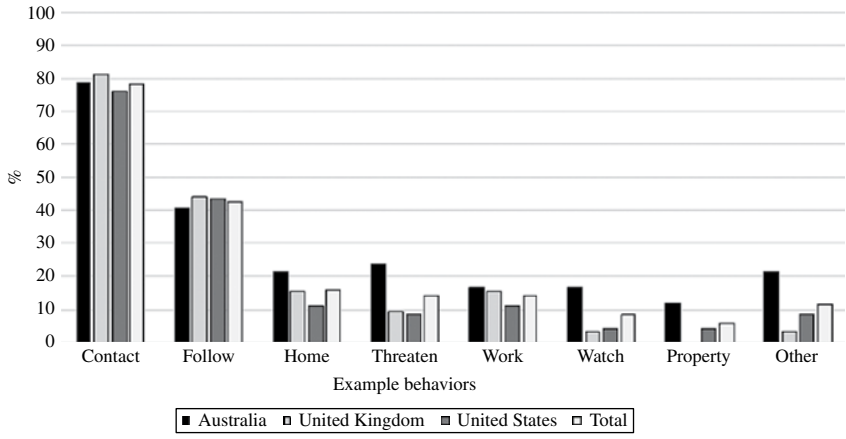

Figure 1 Proportion of participants that provided example behaviors when describing their understanding of the respective stalking/harassment legislation.

Other example behaviors (other: 11.7%) included blackmail (e.g., "It is only considered to be severe stalking if the person threatens, blackmails, or does anything against the other parties will …" P5899, United States), publishing inappropriate material (e.g., "… publishing untoward information to a non-willing person" P266, Australia), and arranging for other people to stalk (e.g., "… not have any friend or family member make contact" P3849, Australia). Australian participants were more likely to provide example behaviors relating to the threaten, watch, property, and other sub-categories than UK and US participants (see Figure 1).

Fear

Of participants, 22% referred to the "fear" response category. Country comparisons revealed that Australian and UK participants (24.8% and 25.6% respectively) were more likely to refer to this category than US participants (16.1%). Regarding the content of responses, 85.5% of participants referred to the victim feeling threatened and/or experiencing apprehension or fear:

> The victim has the right to report a problem to the police if they feel threatened. (P4944, Australia)
>
> It is against the law for someone to cause harassment, alarm and distress to another … (P101, United Kingdom)
>
> Stalking is when someone writes, calls, or follows/meets a person against their will, forcing the victim to live in fear. (P1386, United States)

Australian and UK participants (92.5% and 87.5% respectively) were more likely to refer to the victim feeling threatened and/or experiencing apprehension or fear than US participants (75.7%).

A smaller proportion of participants (36.8%) specifically referred to the victim experiencing fear of violence or physical harm:

> It would be an offence to cause someone to fear violence. (P2356, United Kingdom)
>
> Basically, stalking by definition in my state is if a person feels there is a risk being presented by another that physical harm may come to them. (P5834, United States)

US participants (43.2%) were most likely to refer to the victim experiencing fear of violence or physical harm, followed by Australian participants (37.5%) and UK participants (30.0%).

Harm

Of participants, 13% referred to the "harm" response category, with a similar proportion of participants referring to this category in each of the three countries. Regarding the content of responses, 85.9% of participants referred to victims experiencing mental or physical harm:

> Stalking is repeated unwanted contact that causes mental or emotional harm to the victim … (P3409, Australia)
>
> Unwanted and uninvited attention … that causes either physical or mental stress. (P1734, United Kingdom)
>
> Any unwanted advances of physical or psychological consequence is considered stalking. (P1267, United States)

A small proportion of participants (16.9%) expressed frustration that behavior is often not considered stalking unless the victim experiences physical harm:

> You basically get a slap on the wrist unless you actually hurt someone. (P180, Australia)
>
> As far as I understand the police would probably only become involved if the person being stalked could show they were likely to be at risk of physical harm. (P3070, United Kingdom)
>
> The police [will] probably not intervene unless there is physical confrontation. (P2593, United States)

Although numbers were small, UK participants (25.0%) were more likely to express frustration than Australian and US participants (15.0 and 14.3% respectively).

Extended Victimization, Statute, and Intent

With regard to the remaining response categories, 5.7% of participants referred to the "extended victimization" response category, 3.8% referred to the "statute" response category, and 3.1% referred to the "intent" response category. Regarding extended victimization, participants referred to the impact of victimization on family and friends (e.g., "Unnecessary behavior or attention from someone that causes one to fear for their [own]/or family's safety" P509, Australia), and the potential impact of victimization on employment (e.g., "Where the acts of stalking are likely to cause the victim to reasonably fear that her employment or career is threatened" P77, United States). Australian participants (9.3%) were most likely to refer to extended victimization, followed by US participants (5.2%) and UK participants (2.6%).

Regarding statute, a similar proportion of participants in each of the three countries named the respective stalking/harassment legislation:

> [Stalking is] governed by [the] Crimes Act. States that a person is punishable by imprisonment for offence of stalking. (P2757, Australia)
>
> I am not aware of a law that mentions stalking specifically in England, but we do have the Protection from Harassment Act. (P3859, United Kingdom)
>
> NY state law considers stalking to be a class A or B misdemeanor, depending on the severity of the case. (P2455, United States)

Consistent with the specifics of the Crimes Act 1958 and New York Criminal Procedure Law 1999, only Australian participants (5.0%) and US participants (3.9%) referred to the perpetrator's intent to cause another person harm or fear (e.g., "Stalking is a criminal offence, and you can be convicted of stalking if you contact another person on multiple occasions with the intention of causing harm or making the person fear for their safety" P340, Australia). Consistent with the specifics of the Protection from Harassment Act 1997, UK participants (4.5%) referred to a person pursing a course of conduct that amounts to harassment of another person (e.g., "It makes it unlawful to pursue a course of conduct which amounts to harassment of another and which the defendant knows or ought to know amounts to harassment of another" P2349, United Kingdom).

DISCUSSION

The present study examined public familiarity and understanding of stalking/harassment legislation in Australia, the United Kingdom, and the United States. Overall, 21.4% of participants indicated that

they were familiar with, and 14.4% provided information regarding their understanding of, the legislation in their jurisdiction. US participants were more likely than Australian and UK participants to indicate that they were familiar with the legislation, but Australian and UK participants included more words than US participants when articulating their understanding of the legislation. When describing their understanding of the respective legislation, participants were most likely to refer to the associated penalties and/or use the term harassment or one of its variants. About a quarter of participants referred to unwanted behavior and/or to behavior being repeated, excessive, or continuing over a protracted period of time. About a fifth of participants provided example behaviors (e.g., contacting and following the victim) and/or referred to the victim feeling threatened, experiencing apprehension or fear, or experiencing fear of violence or physical harm. Finally, smaller proportions of participants referred to the victim experiencing mental or physical harm; the impact of victimization on family, friends, and employment; named the respective statute; and/or referred to the perpetrator's intent to cause another person harm or fear.

These findings suggest that participants' level of understanding was extremely rudimentary, and that the content of their responses reflected generally accepted definitions of stalking rather than the specifics of the respective stalking/harassment legislation. For example, the most common response categories (after penalty and harassment) were unwanted behavior and course of conduct, and the most common example behavior was contact. However, there were several instances where lay understandings reflected the specifics of the respective legislation. For example, UK participants were most likely to refer to the illegality of harassment, which is consistent with the remit of the Protection from Harassment Act 1997 and its reference to harassment rather than stalking. In addition, US participants were more likely than Australian and UK participants to refer to the victim asking the perpetrator to stop, and only Australian and US participants referred to the perpetrator's intent to cause another person harm or fear. The former difference is consistent with New York Criminal Procedure Law 1999, which is the only statute to refer to the perpetrator being asked to stop. The latter difference is consistent with the Protection from Harassment Act, which is the only statute to not refer to the intent of the perpetrator. Further research is necessary to explore how the public become familiar with the legislation in their jurisdiction (e.g., via experience, targeted media coverage, and/or educational campaigns), and how best to increase public understanding.

It is important to acknowledge that there were several instances where lay understandings did not reflect the specifics of the respective stalking/harassment legislation. For example, Australian participants were most likely to refer to unwanted behavior despite New York Criminal Procedure Law 1999 being the only statute to refer to the perpetrator being asked to stop his or her conduct. Australian participants were also more likely than US participants to provide example behaviors despite stalking legislation in both jurisdictions providing these. Finally, Australian and UK participants were more likely to refer to fear despite legislation in all three jurisdictions referring to this. These instances where lay understandings did not reflect the specifics of the respective legislation highlight the importance of other factors. For example, Sheridan, Scott, Archer, and Roberts (2017) examined perceptions of intrusive behavior in 12 countries and highlighted the important role of culture in determining whether "nonthreatening" behavior is considered acceptable or unacceptable. Although Australia, the United Kingdom, and the United States are Western, Educated, Industrialized, Rich, and Democratic (WEIRD) countries, there may be subtle cultural differences that help explain these instances.

The finding that participants' level of understanding was extremely rudimentary has important implications given that perceptions are central to the construction of stalking (Mullen et al., 1999); that misperceptions and stalking myths may reduce the likelihood of identifying experiences as stalking (Scott, in press); and that legislation may have a positive impact on perceptions of stalking (De Fazio et al., 2015; Scott et al., 2014, 2015). Although public familiarity and understanding are likely to be rudimentary for all legislation regardless of the offense, stalking is a particular type of interpersonal aggression that incorporates a range of unwanted behavior over a protracted period of time that often appears routine and harmless in isolation (Pathé, MacKenzie, & Mullen, 2004; Sheridan & Davies, 2001). It is important, therefore, to acknowledge that stalking is a pattern-based offense, and that, in contrast to many incident-based offenses, increasing understanding of legislation may help victims determine whether a particular pattern of behavior is "reasonable" pursuit behavior or "unreasonable" stalking behavior.[5] It is also important to acknowledge the limits of legislation and to highlight the potential positive impact of media coverage. Although prescriptive legislation

[5] Although it is important that legislation achieves the right balance between over-breadth and over-restriction, discussion regarding the appropriateness of stalking/harassment legislation is beyond the remit of this chapter.

provides example stalking behaviors, less prescriptive legislation does not. Furthermore, it is difficult to comprehend how increased familiarity and understanding of stalking/harassment legislation would reduce adherence to misperceptions and stalking myths in the absence of appropriately targeted educational campaigns. Thus, media coverage should not only increase public understanding of legislation, but also provide education regarding the reality of stalking in order to increase the likelihood of victims, as well as their family and friends, identifying experiences as stalking and reporting them to the police where appropriate.

With regard to limitations, the present study examined familiarity with legislation and therefore likely underestimates public awareness of legislation. For example, Hills and Taplin (1998) found that about 50% of their Western Australian sample were aware of the legislation in their jurisdiction. In addition, the present study only examined public familiarity and understanding of stalking/harassment legislation across three jurisdictions. Further research is necessary to determine whether these findings generalize to other jurisdictions within Australia, the United Kingdom, and the United States. Stalking has received increased public and academic attention in recent years, particularly in the United Kingdom where new stalking legislation has been introduced in England and Wales (i.e., the Protection of Freedoms Act 2012), and Scotland (i.e., Criminal Justice Licensing 2010). Further research is necessary, therefore, to examine whether these changes have had a positive impact on perceptions of stalking. Finally, De Fazio et al. (2015) highlighted the potential for legislation, and the associated media coverage, to have a positive impact on perceptions of stalking. However, further experimental research is needed to directly examine the influence of public familiarity and understanding of legislation on perceptions of stalking.

The present study provided a unique insight into public familiarity and understanding of stalking/harassment legislation in Australia, the United Kingdom, and the United States. A minority of participants indicated that they were familiar with the legislation in their jurisdiction, and a smaller minority provided information regarding their understanding of the legislation. Overall, participants' level of understanding was extremely rudimentary, with the content of their responses reflecting generally accepted definitions of stalking rather than the specifics of the respective legislation. It is important to increase public understanding of legislation and the reality of stalking, in order to increase the likelihood of victims, as well as their family and friends, identifying experiences as stalking.

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Part II

National Portraits

7

Stalking Perception, Victimization, and Anti-Stalking Response in the Lithuanian Context

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INTRODUCTION

Stalking is a complex phenomenon that often involves various motives, feelings, and behavioral patterns. It can have a serious impact on the victim and can result in severe effects. Although known for many centuries, this phenomenon attracted massive media and public attention in the 1980s, which later led to the emergence of new legislation and research in this area.

Recent studies on epidemiology, prevalence, or legal regulations on stalking have shown that stalking is a significant public health issue and a harmful form of victimization causing serious social, physical, and/or psychological consequences for the victim (Reidy, Smith-Darden, & Kernsmith, 2016; Sheridan, Blaauw, & Davies, 2003; Worsley, Wheatcroft, Short, & Corcoran, 2017). Despite this fact, and despite a

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strong relationship existing between experience of stalking and other forms of violence (Jordan, Logan, Walker, & Nigoff, 2003), stalking victimization has been ignored for a long time in many countries and Lithuania is no exception. However, the concept of stalking victimization is highly dependent on how the phenomenon is defined, so we will explore this issue more broadly.

ISSUES OF STALKING DEFINITION

The term *stalking* is used to describe a broad range of behaviors in various situations (O'Connor & Rosenfeld, 2004; Owens, 2016), which may include clearly unacceptable or even criminalized behavior (e.g., sexual harassment or intimidation as forms of domestic violence) as well as expression of ambiguous signs when seeking a romantic and dating relationship with a particular person (Purcell, Pathé, & Mullen, 2004). Moreover, most behaviors associated with stalking (e.g., contact on the internet or unexpected gifts) are neither illegal nor unwelcome in other contexts (e.g., consensual intimate relationships, friendships). For this reason, it is accepted that the definition of stalking often depends on whether the context in which this behavior is assessed is legal, clinical, or research oriented (Giorgi-Guarnieri & Norko, 2007).

From a legal point of view, stalking is depicted as intrusive repeated unwanted actions that are threatening, potentially dangerous, and induce fear in the person regarding his or her security (Meloy, 1998). Although no universally accepted definition of stalking exists (Reidy et al., 2016), attempts to define this concept can be found in various national or international documents. For instance, in the Explanatory Report to the Council of Europe Convention on preventing and combating violence against women and domestic violence, also known as the Istanbul Convention, stalking is described as "the intentional conduct of repeatedly engaging in threatening conduct directed at another person, causing her or him to fear for her or his safety" (2011, p. 32). This consists of any repeated behavior of a threatening nature against another person that has the consequence of inducing in this person a sense of fear. Threatening behavior needs to be carried out intentionally and may include various types of behavior such as following another person, letting another person know that she or he is being observed, vandalizing the property of another person, targeting a person's pet, spreading untruthful information online, etc.

Stalking is a crime throughout North America, Australia, several European countries, and in some other parts of the world (Meloy, 2013).

The Council of Europe Convention (Article 34, 2011) called upon signatory states to criminalize stalking: "Parties shall take the necessary legislative or other measures to ensure that the intentional conduct of repeatedly engaging in threatening conduct directed at another person, causing her or him to fear for her or his safety, is criminalized." European Union (EU) Member States have made significant progress in adopting criminal anti-stalking legislation. Compared to the situation in 2010, when only 10 Member States had criminalized stalking, currently no less than 21 Member States have dedicated criminal provisions in place (Van der Aa, 2018).

Lithuania, however, has not yet introduced stalking as a specific criminal offense. One of the reasons for ignoring the criminalization of stalking seems to be a belief that the general criminal provisions are sufficient and should provide adequate protection against stalking behavior. In this case, norms imposing liability for various offenses, which are the components of the stalking-related conduct (e.g., physical violence, dangerous threatening, invasions of the residential dwelling, destruction of a victim's property, malicious communication, etc.), can be applied. However, Purcell et al. (2004) pointed out that these criminal laws proved inadequate as systematic means to address activities associated with stalking. First, these criminal laws usually focus on discrete incidents that are illegal themselves; therefore, multiple prosecutions of the offender as well as repeated testimonies of the victim are required to seek punishment for stalking. Moreover, some crimes related to stalking behavior (e.g., malicious communications or trespass) are categorized as misdemeanor offenses. For this reason, punishment often does not serve as a deterrent to future wrong-doing and, as a consequence, it can increase the probability that the obsession of the stalker will continue to grow. Finally, an immediate threat of violence against the victim that is required for applying several laws is not applicable to many stalking situations because threats are rarely explicit by the act of continued following or monitoring (Purcell et al., 2004).

In the Criminal Code of the Republic of Lithuania (CC) (2000), stalking falls under the offense of threatening to murder or cause a severe health impairment to a person, or terrorizing a person (Article 145). According to Article 145 of the CC, any person who systematically intimidates the other person by using mental coercion shall be punished by a custodial sentence for a term of up to four years. Systematic intimidation in this context should mean persistent frightening of the person. Perpetrators shall be prosecuted for these acts only under a complaint filed by the victim or a statement by the legal representative thereof, or at the prosecutor's request, or when the pre-trial investigation is initiated upon establishing signs of domestic violence.

The Civil Code of the Republic of Lithuania (2000) protects the right to privacy and secrecy of the person. According to the provisions of Article 2.23, part 2 of the Civil Code, unlawful invasion of a person's dwelling or other private premises as well as fenced private territory, keeping his private life under observation, unlawful search of the person or his property, intentional interception of person's telephone, post, or other private communications as well as violation of the confidentiality of his personal notes and information, publication of the data on the state of his health in violation of the procedure prescribed by laws, and other unlawful acts shall all be deemed to violate a person's private life. A person, whose right to private life is violated, is entitled to file a claim regarding compensation of pecuniary and non-pecuniary damage caused by such actions.

Čėsnienė and Čėsna (2006) summarized existing laws and divided stalking behavior into several types based on the violations of human rights: (a) threats to life and health of a person and/or their relatives (e.g., threatening to cause health impairment or to murder); (b) violation of human dignity (e.g., insult, reputation damage, humiliation); and (c) breaching the right to a private life (e.g., espionage, tracking, multiple telephone calls against the victim's will, presence next to the victim's house). The authors noted that although the protection from aggressive and insulting behavior, which may be a component of the stalking (e.g., physical violence, dangerous threats, invasions of the residential dwelling, destruction of a victim's property, etc.), is established in the Lithuanian legislation, such damage, occurring due to the entirety of types of unwanted intrusive conduct, often remains without a specific connection with the criminal law.

PREVALENCE OF STALKING

Stalking is a relatively common crime (Lambert, Smith, Geistman, Cluse-Tolar, & Jiang, 2013), impacting about one in four to one in six individuals (Petherick, 2017) but it may also occur with some higher frequency among particular populations (Sheridan et al., 2003); for instance, among people in highly visible jobs (politics, mental health services, TV and film industry) as well as people who have a high likelihood of engaging in contacts with single people (young people, students). As can be seen from the example of a case that happened in 2017, Lithuania is no exception:

> Vilma, 44 year old singer. She started her career singing in a well-known Lithuanian music band and later lived and performed abroad. After

returning to Lithuania, she looked for new employment opportunities. At the same time, she met a man R.A., a 53 year old lawyer's assistant, and they dated for several weeks. However, she decided to end this relationship because of his impulsive nature and started to date another man. She told her new partner that she feels threatened by her ex's behavior. After changing her relationship status from "single" to "in a relationship" on Facebook, she got a call with a job offer. The woman took a bus to another town for the job interview. Her relatives have not seen her since then. She was found shot dead in a rented car near R.A.'s mother's home. It turned out, after seeing her change her relationship status on Facebook, R.A. called her using a voice changer seeking to lure her by offering her a fake job opportunity. After meeting Vilma, R.A. kidnapped and killed her. A few days after hiding in another women's apartment and forbidding her to communicate with others he committed suicide. The man left a farewell suicide note.

Although the problem of stalking and its prevalence is sufficiently addressed in the works of foreign scientists (De Fazio, 2011; Modena Group on Stalking, 2007; Van der Aa, 2012, 2018), this phenomenon is poorly researched in Lithuania (Čėsnienė & Čėsna, 2006; Michailovič, 2018). Only recently have academics and field practitioners started focusing on this phenomenon.

Žalytė (2017) investigated stalking experiences in a Lithuanian student sample. The study results revealed that students perceive the following types of behavior as stalking: "harming you physically," "hurting you emotionally," "physically hurting someone you care about," "trying to manipulate or force you into dating him/her," etc. A real stalking experience was distinguished by such behavior as "asking you for a date repeatedly," "hurting you emotionally," "asking you out 'as just friends'," "asking your friends, family, school or work colleagues about you," etc. Emotions felt by male and female students differed: females who had experienced stalking felt more frightened, while males felt more anxious; 35% of male students had been stalked by other men, while only 8% of females were stalked by other women. Moreover, study results showed that 35% of students who experienced stalking had talked about this experience to others (friends or relatives), while only 1% reported it to the police and 64% did not ask for any help at all (Žalytė, 2017). Participants also described their most serious incident. One example from this study is provided below:

Female student, 22 years old, wrote: A person that I know was calling me with threats that he would commit suicide by hanging if I wouldn't agree on pursuing an intimate relationship with him. He used to say that he would write a suicide note in which he would blame me for his death. He also used to wait near my house. Later I found out that I was being photographed and filmed without my consent. Also, he used to complain to

other people that I don't pay attention to him. Often he used to call during the night and talk about intimate things. Later, I stopped picking up his phone calls. After that, he started writing messages with death threats. P.S. He is seeking to become a priest.

As mentioned above, stalking in Lithuania falls under the offense described in Article 145 of the CC. The practice of its application from 2004 to 2017 is illustrated in Figure 1.

The percentage of such criminal offenses as threatening to murder or cause severe health impairment to a person or intimidation of a person represented only 0.6–2.1% of cases in the overall structure of criminal offenses in Lithuania (Information Technology and Communications Department, 2018). A sudden increase in the number of registered offenses in 2012 was partially caused by the Law on Protection against Domestic Violence that came into effect on December 15, 2011. Article 7 part 1 of this law states that a victim of violence does not have to file a complaint to start the investigation (2011). This is an important aspect, speaking to the latency of domestic violence. Before the enactment of this law, victims of domestic violence avoided reporting acts of violence caused by an intimate partner and avoided requesting the assistance of various institutions. Enactment of this law enabled law enforcement to start criminal prosecution based on the collected evidence, without the necessity for a formal complaint made by the

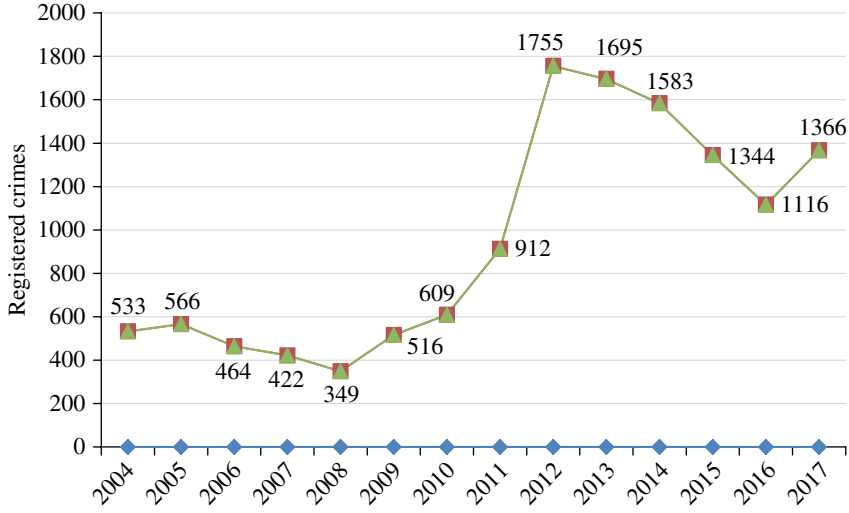

Figure 1 Registered crimes according to Article 145 of the CC in Lithuania (2004–2017) (Information Technology and Communications Department, 2018).

victim. When facing obsessive harassment, the victim may contact a police officer to provide an official warning to the stalker that his or her behavior may lead to administrative or criminal liability (Article 23 of the Law on Police of the Republic of Lithuania, 2000). Analysis of cases including stalking behavior over the past few years, however, has revealed that it is of crucial importance to train police officers on the dynamics of these crimes and also on the behaviors of victims who might appear, in some instances, ambivalent with regard to reporting crimes, in order to seek to reduce the recidivism rates of these horrendous and vicious crimes. These developments are also of interest to not-for-profit organizations that might need to integrate their professional role with that of the police and become familiar with the problems the police face (Baldry, Cinquegrana, Cacace, & Crapolicchio, 2016).

Most victims of stalking are women, and most stalkers are men (Meloy, 2013). A European Union (EU)-wide study shows that in the 28 EU Member States, 18% of women have experienced stalking since the age of 15 and 5% of women have experienced stalking in the 12 months preceding the survey. This corresponds to about 9 million women in the 28 EU Member States experiencing stalking within a period of 12 months (European Union Agency for Fundamental Rights, 2014). For this reason, stalking is often analyzed from the perspective of domestic violence or violence against women. Van der Aa (2012) demonstrated that the characterization of stalking as a form of domestic violence also finds resonance in various empirical studies. Many victims of domestic violence are stalked by their current or former spouse or partner. It is well evidenced that partner stalkers tend to act out violently more often compared to non-intimate stalkers (Logan, Cole, Shannon, & Walker, 2006; Nicastro, Cousins, & Spitzberg, 2000; Sheridan & Blaauw, 2002) and this form of relational stalking is generally more serious and long-lasting than other types of stalking.

The Istanbul Convention (2011) recognizes in its Preamble that "women and girls are exposed to a higher risk of gender-based violence than men" but at the same time it states that "domestic violence affects women disproportionately, and that men may also be victims of domestic violence." According to the Explanatory Report (2011), the provision contained in paragraph 2 on the scope of the Convention encourages Parties to apply this Convention also to domestic violence committed against men and children. However, with a view to keeping the focus on the various forms of gender-based violence committed against women, paragraph 2 requires Parties to pay particular attention to victims of this form of violence when implementing the Convention (see Consideration 37 of the Explanatory Report).

The behavioral profile characterizing an incident of stalking is strongly influenced by the type of prior relationship between the offender and the victim. Stalking by a former intimate partner harbors the greatest potential for escalation. The reasons for this may well concern the inhibitions that prevent persons from invading the private and intimate spaces of others being less pronounced when it comes to former sexual partners in comparison to less-familiar persons. Another explanation may be that ex-partner stalking is often the continuation of a previously existing violent and abusive relationship (Hirtenlehner, Starzer, & Weber, 2012). Unfortunately, stalking may become a prelude to even more dangerous actions, including murder.[1]

STALKING AND GENDER-BASED STEREOTYPES

In relation to the causality of stalking and the necessity of a proper response, it should be noted that gender stereotypes are popular not only in Lithuania, but also in the cultures of many other countries, such as the belief that a man's "attention" to a woman should be deemed as a compliment, since a man must fight for a woman's attention, etc. Therefore, the victims of stalking as an obsessive behavior may not receive an appropriate response from law enforcement officials because the stalker's behavior may be perceived as attempts at seduction, which shouldn't be negatively received but instead give satisfaction. The feeling of lack of support from law enforcement officers, or improper support, may not only be dangerous for the stalking victim, but may also contribute to their secondary victimization. People who have experienced stalking are often forced to change their lifestyle and habits and invest in protective measures.

The contributions of numerous international institutions have demonstrated increasingly clearly that there is a reoccurring relationship between the functioning and dissemination of gender stereotypes,

[1] As an example, we can mention a case that happened in Great Britain and received wide media coverage, when R. Venclovas was jailed for a minimum of 20 years for murdering and kidnapping his Lithuanian ex-wife, who moved to Cambridgeshire to escape her "obsessed and jealous" ex. Miss Baliutaviciene was last seen on CCTV being abducted on her way to work in Peterborough on August 12, 2011. Her naked body was found in a field in western Poland two months later. The report, written on behalf of the Safer Peterborough Partnership, concludes that threats to kill must always be taken seriously and risk assessments across all agencies must include contingency plans if a perpetrator leaves the area and subsequently returns. (*Vitalija Baliutaviciene could have been "greater protected"* (March 5, 2014). Retrieved from: https://www.bbc.com.)

violence against women, and discrimination against women. Negative stereotypes of women do still exist and are still firmly established. Article 5 of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW, 1979) obliges State Parties: "to take all appropriate measures to modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women."

Another international document dealing with the impact of gender stereotypes on women's rights is the Istanbul Convention (2011), which establishes general obligations of the states regarding prevention: "Parties shall take the necessary measures to promote changes in the social and cultural patterns of behavior of women and men with a view to eradicating prejudices, customs, traditions and all other practices which are based on the idea of the inferiority of women or on stereotyped roles for women and men." The preamble to the Istanbul Convention explicitly states: "Recognizing that violence against women is a manifestation of historically unequal power relations between women and men, which have led to domination over, and discrimination against, women by men and to the prevention of the full advancement of women." It should be noted that Lithuania signed the Convention in 2013, but has not yet ratified it because it causes major debates due to the concept of *gender* and its Lithuanian translation, approved by the government, as *social gender*. The critics in Lithuania assert that the concept of *gender* is unfamiliar to national law. It is further discussed that the Convention challenges the binary sex system and paves the way to recognition of lesbian, gay, bisexual, and transgender (LGBT) people.

Due to various stereotypes concerning the role of a woman and a man both in the family and in public life, violence against women and domestic violence do not consistently provoke a firm social objection. However, as Płatek (2018) emphasizes, the perpetrator should not be allowed guaranteed protection based on the cultural attitudes that are widely prevalent in society. The legislator and the government must establish the content, set out in Article 5 of CEDAW and Article 12 of Istanbul Convention, starting from school textbooks all to the way through to approved communication examples in legislation (Płatek, 2018). The masculinity standards that challenge non-discrimination on the basis of gender, which is often prevalent in a society, demonstrate the wish to maintain a patriarchal attitude of masculinity within the society. An example of masculinity is that it requires proactive and dominant behavior. Such a concept does not depend on gender and is

supported by both women and men. Thus, stalking may be interpreted as a socially acceptable way of showing romantic interest on the basis of which the stalker imagines himself being entitled to request attention and/or submission. Therefore, due to a lack of critical reflection, such behavior standards are often an element of daily routine (Płatek, 2018).

STALKING: LEGAL PROTECTION AND PREVENTION

The legal assessment of stalking and prevention measures put in place to protect people from stalking are different in every country. A separate criminal liability is established in the laws of many countries for stalking (Van der Aa, 2018). Moreover, it should be noted that according to the laws in some EU Member States that have criminalized stalking, the only sentence for such a criminal offense is imprisonment (e.g., Austria, Italy, Croatia, Poland, France, Hungary, Slovakia, Sweden). According to the findings of the Modena Group on Stalking (2007), only eight EU Member States had introduced specific anti-stalking legislation into their national legal systems. The other Member States did not feel the need to pass specific legislation, because stalking was not considered a social problem and had not given rise to public debate. A second reason to abstain from adopting dedicated legislation was the conviction that generic criminal provisions—such as assault, threat, or coercion—in combination with protection order schemes would provide adequate protection against the behavior. Another factor that may have played a role in Europe's hesitance to criminalize the conduct is the strong criticism voiced by some influential criminal lawyers and legal philosophers who oppose the criminalization of stalking and their disagreement about the nature of the actual harm anti-stalking legislation ought to address (Van der Aa, 2018).

It should be noted that the accompanying Explanatory Report to the Istanbul Convention explains that the Convention provides for the possibility of any state or the EU to declare that it reserves the right to provide for non-criminal sanctions, as long as they are effective, proportionate, and dissuasive. Providing for a restraining order should be seen as a non-criminal sanction within the possibility of a reservation. Once more, the intention of the drafters was to preserve the principle of criminalization of stalking, while allowing flexibility where the legal system of a Party provides only for non-criminal sanctions in relation to stalking (Explanatory Report to the Convention, p. 186).

Few specialists in a range of fields would be likely contradict the idea that before introducing criminalization of any behavior, its specifics

and reasons should first be thoroughly explored without forgetting the principle of ultima ratio. Gavin de Becker, a specialist in security issues, has stressed in his book *The gift of fear* (1997, p. 470): "Lawyers, police, TV news people, counselors, psychologists, and even some victims' advocates recommend restraining orders wholesale … but we should *stop* telling people that a piece of paper of will automatically protect them, because when applied to certain types of cases, it may do the opposite. It is dangerous to promote a specific treatment without first diagnosing the problem in the individual case."

It is more difficult to apply legal remedies for the stalked persons in cases when the stalking is performed solely in cyberspace; for example, through obsessive conversations in online chat rooms, or sending unwanted or insulting emails. This is because it is difficult to collect evidence of such actions and to assess such actions properly. The Law on Electronic Communications of the Republic of Lithuania restricts the stalker's possibilities of remaining anonymous. The law establishes the identification of the caller and connected lines. Unfortunately, general legal rules cannot be applied to all cyberstalking activities and this task becomes an additional issue and challenge for lawyers and politicians (Čėsnienė & Čėsna, 2006).

It is important to stress not only punishment for stalking, but also the necessity of preventive actions. For some time, there has been a forum in Lithuania called "Stop Stalking," designed for people who are searching for help and information (www.persekiojimuistop.lt). It is an initiative of specialists working at the VIP Protection Department under the Ministry of the Interior of the Republic of Lithuania. Realizing that stalking is a problem not only for public persons, but also for private persons, the creators of this website aim to encourage discussion among professionals, to increase public awareness of stalking, and to increase the assurance of safety for their clients and other people. In addition, relevant information is provided, explaining where a person can get help in cases of stalking.

CONCLUSIONS

Special legislation providing criminal liability for stalking shows a state's recognition of stalking as a dangerous social phenomenon that is deserving of punishment. On the other hand, it should also be noted that criminalization of the phenomenon of stalking does not solve more fundamental social problems. Changes cannot be implemented without finding out the specifics of the phenomenon and its motivations and

without the proactive involvement of wider society. Therefore, it would be rational to support aggrieved parties in informal ways in Lithuania, including educational activities about stalking and how to respond after becoming a victim of such obsessive harassment, in addition to support provided by employees of non-governmental organizations helping people who experience stalking. Such preventive activities, which are complicated and long-term processes, should be multifaceted and coordinated in the fields of legislation, education, psychology, and social services.

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8

Stalking and Intimate Partner Violence Prevention from Ecological and Public Health Perspectives: The Spanish Experience

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AN INTRODUCTION TO INTIMATE PARTNER VIOLENCE

Addressing intimate partner violence (IPV) has been one of the core objectives of the World Health Organization and many Western countries (Krug et al., 2002). IPV is one of the most common forms of

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violence against women[1] which often occurs in the context of a romantic relationship. Despite the fact that IPV can be inflicted by men or women and between heterosexual or homosexual relationships, the most common victims are heterosexual women and offenders are most often heterosexual men (García-Moreno, Jansen, Ellsberg, Heise, & Watts, 2005; World Health Organization [WHO], 2013). It is therefore important to recognize the gendered nature of IPV in which heterosexual men may utilize socially sanctioned and regulated masculine norms of social control and/or violence in relation to their girlfriend, wife, ex-wife, etc. Such behaviors or IPV can include physical (such as slapping, hitting, kicking, and beating), sexual (including forced sexual intercourse and other forms of sexual coercion), emotional or psychological abuse (such as insults, belittling, humiliation, intimidation, threats of harm, threats to take away children), and controlling behaviors (including isolating a person from family and friends; monitoring their movements; and restricting access to financial resources, employment, education, or medical care) by an intimate partner (Krug et al., 2002; WHO, 2012). IPV can reach very serious levels and in some cases it can result in murder. Violent episodes can occur daily resulting in the submission of the victim, which then can lead to a perception of insecurity and vulnerability which makes ending an abusive relationship very challenging without the appropriate interventions place.

Our understanding of the complexity of this kind of violence has greatly benefited from a variety of conceptual models and approaches (Dobash & Dobash, 1979, 1992, 2001; Garrido, 2001; Gelles, Loseke, & Cavanaugh, 1993; Jenkins, 1996; Okun, 1986; Straus & Gelles, 1988; Theobald & Farrington, 2012; Walker, 1979, 1989; Widow, 1992). However, the Ecological Model developed by Bronfenbrenner (1979), cited in the Global Report on Violence and Health (Krug et al., 2002), has been widely described as the most comprehensive approach to better understanding and preventing violence. This model takes into consideration a variety of factors and levels of influence at the microsystem or the individual level, the exosystem or relationship level, the mesosystem or community level, and the broader macrosystem or

[1] In Spain, the term "gender violence" has been technically generalized, as it is included in Law 1/2004 on Comprehensive Protection Measures against Gender Violence. In this text, "gender violence" and "violence against the couple" are used indiscriminately to refer to the violence committed by a man toward his partner or ex-female partner. In the scientific community both terms (gender violence and against the couple) carry different meanings that go beyond this text (for more information see Garrido and Redondo 2013). In addition, IPV has also been called "domestic violence" despite domestic violence including child, elder, and/or abuse by any member of the household (World Health Organization [WHO], 2012).

societal level. With this in mind, preventing IPV requires a complex and multisectoral response including governmental systems, health care institutions, and community-based organizations all working in tandem to examine and properly address the different types of IPV. Moreover, given the complex political, economic, and social context within which IPV occurs, it is necessary that the interplay between the different systems and levels of influence be able to adapt to changing social realities and political demands. These complexities are evident in the Spanish content (Redondo, 2008; Subirana-Malaret & Andrés-Pueyo, 2013).

THE CRIMINALIZATION OF STALKING IN THE CONTEXT OF INTIMATE PARTNER VIOLENCE (IPV) IN SPAIN

On December 17, 2018, 21 years after the murder of Ana Orantes, her wish was fulfilled. She is considered in Spain to be the first woman to publicly declare that her husband mistreated and abused her. She broke her silence on a television show in which she discussed 40 years of physical and psychological abuse only 13 days before her former husband burned her alive with gasoline in the house she was forced to share with him in Cúllar Vega (Granada). This murder was a milestone for the treatment of gender-based violence (IPV) in Spain, which until then was considered a private matter between the couple. However, it is important to note that in 1999 there were 1,551,214 women living in situations of unequal gendered power relations with respect to their male partners (Alberdi & Matas, 2002).

Five years after the murder of Ana Orantes, the World Health Organization published the World Report on Violence and Health (Krug et al., 2002) which became the first comprehensive study of violence in the world. In it, the issues of who violence affects and what can be done to prevent it, manage it, and intervene in it were raised (Krug et al., 2002). This report proposed an ecological model inspired by the earlier ecological model developed by Bronfenbrenner (1979) (Figure 1). The social-ecological model suggests that it is necessary to intervene at all levels within which individuals are situated, including the microsystem (biological and psychological factors), the exosystem (close relationships as family, friends, and peers), and the broader macrosystem or societal level.

The perspective of the Ecological Model (Krug et al., 2002) represents a radical change in the treatment of IPV worldwide as it shifts away from a view of IPV as a private matter and recasts it as an urgent issue

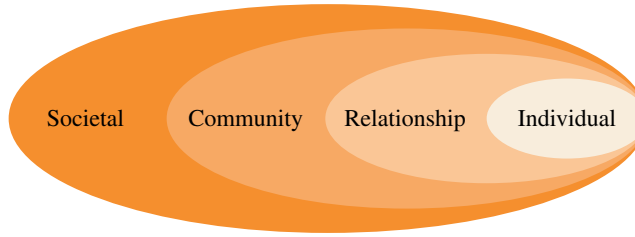

Figure 1 The social-ecological model (Krug et al., 2002).

to be addressed by all levels of government and society. In Spain, the transition of IPV from private to social issue is stated in the Explanatory Memorandum of the Organic Law 1/2004 of December 28 on Integrated Protection Measures against Gender Violence [Ley Orgánica 1/2004, de 28 de diciembre, de Medidas de Protección Integral contra la Violencia de Género] (LO 1/2004): "Gender-based violence is not a problem affecting the private sector. On the contrary, it manifests itself as the most severe symbol of inequality in our society." The World Report on Violence and Health (Krug et al., 2002) represents a significant step toward a cross-sectional model in which preventing IPV requires a complex and multisectoral response, encompassing governmental systems, health care institutions, and community-based organizations, in an effort to examine and determine the influences of violence and properly address the different types of crime. At the same time, the report describes the public health approach based on the Ecological model which is interdisciplinary, intersectoral, and population-based, and suggests an emphasis on primary prevention (Krug et al., 2002).

Shifting IPV from a private matter to a public issue has resulted in a worldwide movement, including in Spain, where different prevention and intervention measures and strategies have been implemented by governments, public and private institutions, NGOs, and political pressure groups (Hanson, 2002). The "Declaration on the elimination of violence against women" (Res. AG 48/104, UN, 1994) was adopted by the General Assembly of the United Nations (1993) and also the Beijing Declaration and Platform for Action at the IV World Conference on Women (1995), which defines violence against women as "any act of violence based on gender that has as a possible or actual result physical, sexual or psychological harm, including threats, coercion or arbitrary deprivation of liberty, whether it occurs in public or private life" (p. 51). Further, the consideration of IPV as a public health issue in the World Health Organization (1996) shifted IPV to a public health priority (Resolutions 49.25 and 50.19, World Health Organization [WHO], 1998). Additionally, the Convention on the elimination of all forms of

discrimination against women (CEDAW, 2004) marked a turning point in the treatment of IPV that was already brewing in declarations, agreements, previous recommendations, and in the unleashing of legislative modifications that have been implemented with special emphasis in the last decade of the twentieth century and the first decade of the twenty-first. Despite a 20-year span, it was the approval in May 2011 of the Council of Europe Convention on the prevention and fight against violence against women and domestic violence that marked the agenda for action on the criminalization of stalking in most European countries, including Spain (Villacampa, 2018). The Council of Europe Convention on preventing and combating violence against women, known as the Istanbul Convention, came into force in August 2014 and was signed by the EU in June 2017.[2]

THE EVOLUTION OF SOCIAL PERCEPTIONS OF IPV IN SPAIN AND ITS LEGISLATION

Currently, IPV is recognized as a global problem that affects millions of women. However, it was not until the 1970s that IPV was initially recognized by activists and feminist groups in England and the USA, which in turn led to a global social movement to fight against this type of violence. From there, measures and interventions to address IPV were developed (see for example Andrés-Pueyo & Redondo, 2007; Dobash & Dobash, 2011; Echeburúa & Redondo, 2010; Gondolf, 2012; Redondo, 1998; Redondo & Andrés-Pueyo, 2007; Subirana-Malaret, 2012). As the growing network of women activists proliferated in Europe, changes in politics and legislation resulted and put pressure on governments to take action to address IPV (Graham-Kevan, 2007). In the 50-year struggle against IPV, we have witnessed how laws have been modified to take into consideration the complexities of IPV. Expressed through legal texts and frameworks, the law attempts to regulate social and administrative actions but is in constant flux as the changing codified, legal tenets constantly struggle to promote respect and work toward the common good and focus on the rights of people (De La Espriella, 2011).

[2] However, in the Plenary Session on 13 March 2018, 11 Member States still had not ratified the Istanbul Convention (Bulgaria, Croatia, Czech Republic, Greece, Hungary, Ireland, Latvia, Lithuania, Luxembourg, Slovakia, and the United Kingdom).

In Spain, it was the women's movement and the institutionalization of a gender-based perspective that turned the issue of IPV into public policy and, subsequently, into a State issue (Larrauri, 2007). A State policy implies the delimitation of the phenomenon and its features, relying on an explanatory model, constructing a congruent discourse and an adequate framework for political action (Ministry of Health, Social Services and Equality [Ministerio de Sanidad, Servicios Sociales e Igualdad], 2011). The 1st Action Plan against gender-based violence was approved in 1998 by the Spanish government, this was the first time that gender-based violence was recognized as a State problem. The 2nd Action Plan was approved in 2001. Both actions brought together several legislative reforms as well as important modifications of the Penal Code of 1995, the Law of Criminal Procedure (among them the Organic Law 15/2003, of November 25, regarding the Citizen Security Specific Measures, Domestic Violence and Foreigners Social Integration); the Organic Law 15/2003, of November 25, which modifies the Organic Law 10/1995, of November 23, of the Penal Code. In terms of legal tools, the Law 27/2003, of July 31, which regulates the Order of Protection of Victims of Domestic Violence, is a very relevant one since it considers an immediate and integral protection including physical, economical, legal, social, and police action toward women victims of IPV (Ministry of Employment and Women [Consejería de Empleo y Mujer], 2005). Numerous criminal and procedural reforms have been completed, culminating in December 2004 with the entry into force of LO 1/2004. This is currently the norm that governs the actions in the General State Administration. A change in legislation, judicial response, and social sphere has occurred with the mandating of LO 1/2004. This initiative has resulted in greater awareness of social violence and has furthered the perception of violence as a problem suffered by the entire population.

Recent data suggests that with this mandate, there has been an increase in cases of complaints of violence perpetrated and witnessed. The Home Office reports an increase of roughly 32% in complaints involving IPV since the introduction of LO 1/2004. At the same time, the Autonomous Communities in Spain have continued with their own actions and have developed a series of norms that have allowed for the adoption of the actions to the specific circumstances of each Community and, in turn, the development and expansion of policies against IPV (Cabrera & Carazo, 2008). Finally, the latest reform of the Criminal Code of 2015 also included a specific measure against stalking as a form of violence against women. Article 172 ter categorizes and punishes this crime, trying to adjust to society changes and new demands and to the needs of the individual.

QUANTIFYING IPV IN SPAIN: AN OVERVIEW OF AVAILABLE DATA

Spanish society, like many other societies, has evolved in its perception of the problem of violence in the context of the couple. However, there are still difficulties in quantifying IPV, even in countries that have increased their awareness such as Spain (Alberdi & Matas, 2002). Due to the lack of comprehensive understanding of IPV, the main difficulties in assessing the magnitude or prevalence of this behavior remain in the many conceptual differences and legal changes during the past few decades. For instance, in the past, a case of IPV would be processed as domestic violence related to physical injuries, verbal threats, or another penal type, but did at least permit a global labeling of IPV cases under one category.

Given this, it is not possible to offer conclusive data on the exact incidence of IPV in Spain. However, today there are different sources of information, both official and unofficial, that provide a variety of data to help gauge the size of the problem. In the context of public health, determining the magnitude of the problem is essential in order to formulate valid prevention policies and interventions. From January 1, 2003 (the date on which the victims of gender violence in Spain began to be counted officially) until July 31, 2018, 947 women died (see Figure 2) and, until recently, the victim herself was blamed for her mistreatment (Alberdi & Matas, 2002).

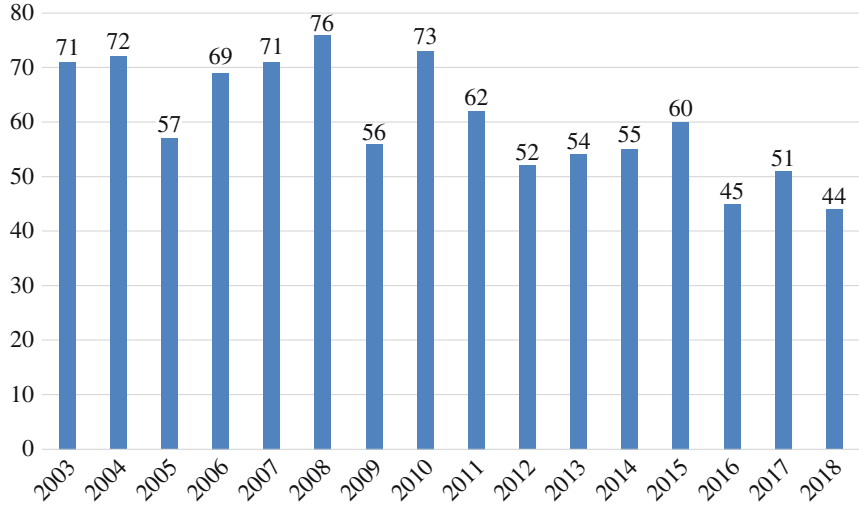

Figure 2 IPV mortality rates in Spain from January 2003 to November 2018. Source: Adapted from Secretaría de Estado de Igualdad (2018).

Unfortunately, currently available data only represent the tip of the iceberg in terms of the magnitude of IPV in Spain. In order to obtain more accurate data on the extent of IPV, data from police and judicial sources (such as the number of complaints and crimes, among other data), sociological (as surveys or social service demands), and health care services (as emergencies or other medical services attended) are required (Andrés-Pueyo, 2012).

Regarding judicial indicators, in 2017 a total of 166,620 complaints of IPV were received in the Spanish courts, an increase of 16.4% compared to 2016, in which there were a total of 142,893 complaints (General Council of the Judiciary [Consejo General del Poder Judicial] (CGPJ) 2017). According to the same official data, there were 158,217 women victims of IPV violence, an increase of 17.7%, of which 48,110 were foreign (30.4%). There has been a progressive increase in complaints registered in Spain annually, from the 47,165 received in 2002, to an exponential increase from the date of LO 1/2004 with, for example, 126,293 complaints in 2007. Other judicial indicators used to account for the prevalence of IPV are the data collected in the Reports of the Observatory of Free Justice, which from LO 1/2004 recognizes in Article 20 the right of victims to receive free legal advice at the moment immediately prior to the filing of the complaint, and the defense and representation free of charge by attorney and attorney in all administrative processes and procedures that have a direct or indirect cause in the violence suffered. According to the 10th Report of the Observatory of Free Justice published in 2015, from 2004 to 2015 84,337 cases have been attended (referring to the Autonomous Communities that are the responsibility of the Ministry of Justice, which do not comprise all of the Autonomous Communities). According to the same report, in 2015 the investment in Free Justice was 227.1 million euros; 7.6 million euros were allocated to the Gender Violence Service.

An additional source of data available in Spain on the prevalence of IPV is the number of inmates in prisons and those who have served alternative sentences as a precautionary measure. Crimes related to gender-based violence are beginning to be codified in the Prison Information System as of August 25, 2005, after the entry into force of LO 1/2004. Subsequently, on January 1, 2012, a methodological modification consisting of the use of the Penitentiary Information System as the official source for obtaining data from the Spanish prison system came into force. Table 1 shows the frequency of gender-based offenses and total inmates as of December 31, 2017. As can be seen, there were a total of 12.085 gender-based punished crimes, committed by a total of 6.304 inmates.

Table 1 Frequency of gender-based offenses and total inmates as of December 31, 2017 in Spain.

Type of crime	Frequency
Abortion GV	1
Breaking and entering GV	55
Arrest GV	75
Blaze GV	20
Coercion GV	250
Habitual violence GV	490
Ill treatment GV	2,234
Injuries GV	1,330
Injuries to the fetus GV	2
Injuries GV (minor offense)	72
Manslaughter	2
Manslaughter GV	184
Mobbing	3
Moral integrity GV	22
Murder GV	260
Outrage	1
Robbery	2
Threats GV	1,898
Threats GV (minor offense)	177
Sexual abuse GV	26
Sexual abuse	1
Sexual aggression GV	231
Sexual aggression	1
Sexual harassment GV	5
Violation GV	4,743
Total of crimes	12,085
Total of inmates	6,304

Source: Adapted from Yuste (2018).

Regarding those sentenced to precautionary measures, on June 6, 2018 there were a total of 6,878 convicts serving the Intervention Program for aggressors of gender violence in alternative measures (PRIA-MA), distributed among 641 groups, throughout the Services Management of Penalties and Alternative Measures of Spain

(55 Services) (Yuste, 2018). It is important to highlight that as of December 31, 2017, the total number of inmates convicted of a crime of gender-based violence was 6,304. These inmates were convicted of a total of 12,085 crimes of gender-based violence (Yuste, 2018) among which 1,898 correspond to threats and 250 to coercion. Some sentences have begun to apply Article 172 ter, especially in the context of IPV (see for example CGPJ, 2018). However, it is noteworthy that, to date, it is not possible to have exact data of how many cases of stalking have been processed or sentenced so far as a consequence of the limitations of the available and published statistics.

Also, it is worth noting that there has been an increase in gender-based violence among minors (defined as those under the age of 18). Juvenile prosecutions in 2017 for crimes of ill-treatment to 266 children were 48% more than the 179 registered the previous year (CGPJ, 2018). Specifically, recent studies on victimization by stalking underscore that the most victimized population group is young adult women (Villacampa & Pujols, 2017).

One of the most consulted epidemiological indicators in Spain is the Macro Survey on violence against women, which has been carried out since 1999. These are broad-ranging studies carried out through telephone interviews (1999, 2002, and 2006) or face-to-face interviews (2011, 2015) with representative samples of the population. These Macro Surveys do not start with a specific group of women at risk or those who denounce their situation, but rather extrapolations are made from the results obtained from samples selected through statistical criteria to ensure the representativeness of the population, within a certain margin of error (Menéndez Álvarez-Dardet, Pérez-Padilla, & Lorence-Lara, 2013). According to the results of the last Macro Survey, conducted in 2015, 10.3% of women living in Spain aged 16 or over have suffered physical violence from a male partner or ex-partner at some point in their lives (which translates into 2,058,851 women). In addition, 1.8% admit having been a victim of this type of violence during the last year (this is a total of 359,799 women), and some 8.1% of women have suffered sexual violence by their male partner or ex-partner at some point in their lives (a total of 1,599,107 women). The most common type of IPV is psychological violence: 87% of women who have suffered violence by their male partner or ex-partner admit to having been the victim of this type of violence. On the other hand, one of the most relevant results of the last Macro Survey of violence against women conducted in Spain was the hidden number of IPV (unreported cases), at 65%, and the fact that only 1.44% of complaints were presented by family or friends, despite the fact that 81% of the victims mentioned having commented on their situation

(Ministry of Health, Social Services and Equality [Ministerio de Sanidad, Servicios Sociales e Igualdad], 2015).

Finally, it is important to note that IPV data do not fully represent its prevalence in society taking into account the fact that some women still do not consider themselves as victims (Macro Survey, 2015). In summary, according to Medina-Ariza and Barberet (2003), the epidemiological magnitude of IPV in Spain would be similar to those of other countries with similar socio-economic and cultural conditions.

INCLUSION OF STALKING IN CRIMES AGAINST FREEDOM IN THE SPANISH PENAL CODE

In the context of gender-based violence, stalking is a very frequent behavior of control and harassment exercised by a male aggressor against their female partners or ex-partners (Coleman, 1997). This behavior of harassment, which is especially aggravated by the separation of the couple, can occur through various means and forms such as persecution, surveillance, physically presenting to the victim, phone calls, sending messages or emails, monitoring in social networks, and so on, (Schechter, 1982; Sev'er, 1997; Tjaden & Thoennes, 2000).

The inclusion of the crime of stalking in the Spanish legal system is a response, in part, to the proposal of criminalization in Article 34 of the Council of Europe Convention on preventing and combating violence against women and domestic violence, adopted in Istanbul on May 11, 2011, and signed and ratified by Spain (Lorenzo, 2015). The Organic Law 1/2015, of March 30, which modifies the Organic Law 10/1995 of November of the Criminal Code (BOE, 2015) of Article 172 ter of the Penal Code in the Spanish legal system, typifies in Article 172b the new crime of stalking as a form of crime of coercion (within crimes against freedom). This new crime entered into force as of July 1, 2015. As noted in the Statement of Motives of the Law: "this new offense is intended to respond to behaviors of undeniable seriousness that, in many cases, they could not be qualified as coercion or threats. It deals with all those cases in which, without necessarily producing the explicit announcement or not of the intention to cause some harm (threats) or the direct use of violence to restrict the victim's freedom (coercion), behaviors are produced These acts are repeated by means of which the freedom and feeling of security of the victim is severely impaired, to which she is subjected to constant persecution or surveillance, repeated calls, or other continuous acts of harassment."

As it stands, many of the habitual behaviors of stalking can only be punished through the crime against moral integrity or the crimes of coercion and slight humiliation – or continued threats in the most serious cases —although these criminal laws require that violence be used to restrict the victim's freedom. As can be seen, none of them are adequately adapted to the characteristics of many stalking behaviors, often leaving such behaviors without criminal consequences.

The law against harassment seeks to protect an individual's freedom to act, as does the law against coercion, but it is aimed at behaviors that go beyond the use of violence and that are related to the more psychological level of abuse (Villacampa, 2018). As such, under the new concept of stalking, a series of continuous harassment behaviors are contemplated on the same victim, such as surveillance or persecution; the constant search for physical closeness; contact or attempt to contact through any means; the improper and repeated use of personal data; attempts against freedom; etc. All these behaviors place the victim in a position of permanent control and can produce in them serious feelings of fear, anguish, alertness, or unrest.

Although the offense is configured without gender-based distinctions, and this is not mentioned in the Explanatory Memorandum, its inclusion supposes a reinforcement to many of the stalking and control conducts that are exercised within the framework of gender violence and fills the gap of a specific criminal offence to combat behaviors that were not properly penalized in the past (Villacampa, 2018). However, despite its inclusion in the latest reform of the Criminal Code aimed at addressing gaps related to a specific criminal behavior that would otherwise be left without penalty regardless of their seriousness (Villacampa, 2018), to date there is still doubt about what specific behaviors of stalking should be incriminated, and what type of criminal response to this type of behavior there should be (Salat, 2018). The difficulties are in defining these behaviors, which can occur in multiple situations and interpersonal relationships and for various criminal motivations and that, individually manifested, can seem harmless and even socially accepted (Purcell, Pathé, & Mullen, 2005; Villacampa, 2009), and yet are persistent and are repetitive, obsessive, and intrusive persecution behavior toward another person (Villacampa, 2018). This is not surprising if we bear in mind that, despite the fact that psychological violence is the most prevalent type of abuse in IPV (Macro Survey, 2015), the delineation of the limits of psychological violence or emotional abuse remains unresolved (Andrés-Pueyo, 2012), which is where stalking is included in the World Report on Violence and Health (Krug et al., 2002).

LATEST MEASURES AGAINST IPV IN SPAIN AND THE REPERCUSSIONS EMERGING FROM THE MOST RECENT SOCIAL MOVEMENTS

In Spain, every year between 35 and 70 women are murdered at the hands of their male partners or ex-partners (Redondo, 2008) despite the efforts of Organic Law 1/2004. On December 27, 2017, the government, the regions, and the city councils approved 26 measures aimed at confronting and preventing gender-based acts of violence, included the so-called State Pact that was approved by the Congress of Deputies. These 26 measures include:

- Sensitization and prevention measures (six measures): prevention of gender and sexual violence in all educational stages, reinforcement of educational inspection, and training of teachers and health personnel.
- Improvement of the protocols of action between courts and administrations and accreditation of situations of violence to access the comprehensive protection statute (three measures).
- Improvement of assistance and protection to victims in health-related protocols (one measure).
- Assistance and protection of minors (six measures): suspension of visitation, studies on the situation of children, visitation, reinforcement of support and assistance, and prohibition of abusive parent access to judicial exploration recordings of minors.
- Promotion of the training of the different agents, expanding the training of justice professionals, State security forces and agencies, lawyers and attorneys (four measures).
- Statistical monitoring (one measure).
- Recommendations to public administrations and institutions (two measures), through agreements with the National Commission of Judicial Statistics and with the Autonomous Communities for victims of trafficking.
- Visualization and attention to other forms of violence against women through information campaigns, promotion of research, and common protocols for health action against female genital mutilation (three measures).

Despite its approval at the Congress of Deputies and the declaration of the urgent need for an institutional, political, and social consensus against gender-based violence, a year after its approval, the measures of the State Pact against gender-based violence in 2018 have not yet been implemented. In addition, some specific crimes against women that

occur today[3] highlight that despite the legal changes and social advances, more is needed to curb violence. The fight against gender-based violence must reach different social contexts in order to modify old understandings and ways of dealing with this problem. It is important to note that other prejudices and unprofessional behaviors can occur in the courts in which female victims are not believed and are often investigated themselves in the process of seeking justice (Pagelow, 1981).

Following the last modification of the Spanish Penal Code, a heated debate was raised about the option for the increase of punitive interventions and the use of Criminal Law to solve society's problems, as has been happening in the last reforms of the Penal Code in Spain.[4] The supposed social demand for a more severe response to crime has been called "punitive populism" (Garland, 2001; Gómez, 2008) since the social demand for the increase of punitive interventions is uncertain taking into account that there are no studies from the CIS (Center for sociological research in Spain) that support this idea (APDHA, 2015). The number of those incarcerated in Spanish prisons continue to grow, not due to a real increase in the number of crimes, but owing to the hardening of the penal system which in turn makes the application of reintegration and preventive treatments very difficult (Redondo, 2007).

[3] In April 2018, the sentence in the case called "la Manada" was pronounced, in which 5 men between 26 and 30 years old (2 of them security guards) repeatedly raped, 2 years previously, an 18-year-old female at the San Fermín Festival (the Festival of San Fermín, held annually in the city of Pamplona [Navarra], Spain, is a crowded, popular and traditional festival). The sentence convicted them of five ongoing crimes of sexual abuse, not sexual assault (a judge understood that there was no use of violence or intimidation, conditions for the aggression to be considered rape, thus significantly reducing the sentence to nine years in prison). Two months later, the Audiencia Provincial de Navarra, where they were tried, decreed a provisional release on bail of 6,000 euros for the five members. As of this writing, the judgment is expected in January 2019. The case of "La Manada" has caused a social "revolution" in Spain, united under the slogan #yositecreo (I do believe you) in favor of the victim, who also received support from the #MeToo movement. According to some long-term activists in the fight against gender-based violence in Spain, there has been a reversal in progress in the fight against gender-based violence and the above case is an example of what usually happens in the courts.

[4] The major criticism to the last reform of the Penal Code in Spain is with regard to the implementation of the revisable permanent prison, a euphemism for penal servitude for life, that violates the constitutional principle of resocialization, despite what is established in the Motivation Statement (APDHA, 2015): "a person who committed a crime at 40 years of age could leave at 65. Elderly, without a developed life project, excluded, isolated and without resources" (p. 8).

VIOLENCE PREVENTION IN THE CONTEXT OF ECOLOGICAL AND PUBLIC HEALTH APPROACHES

As mentioned earlier, the WHO report on violence and health (Krug et al., 2002) describes the public health approach based on the Ecological model with an emphasis on primary prevention. Primary prevention, in the context of public health, refers to the strategy of intervening before violence is committed, so as to reduce the number of new cases of IPV or sexual violence. This approach is different from other preventative measures as it is implemented before violence occurs, instead of the traditional approach of reducing the harmful consequences when violence has already occurred or attempting to stop further violence after it has been identified. In its attempt to reduce rates of IPV, primary prevention works by identifying the underlying or upstream risk and protective factors and turning this information into actionable methodology and education (Harvey, Garcia-Moreno, & Butchart, 2007).

Technically, prevention has been defined as a strategy or policy that manages to reduce the number of crimes that would occur if this strategy were not applied (Farrington, 2003). For this reason, prevention is related to the reduction of crime, which can be translated into a reduction in the number of crimes committed by individuals (reduction of the crime rate) or a decrease in the number of offenders (reduction of crime) (Redondo & Martínez-Catena, 2012). Preventive programs can also be valued based on the achievement of other parallel benefits, such as the amount of damage that is saved to possible victims (physical, psychological, or economic damages), and also through prevention that can reduce the economic and social costs of crime (Brown, 2010), such as the provision of health, social, and legal services, and costs of lost earnings (WHO, 2013).

The term *prevention* is often used as a rhetorical expression in opposition to punishment but, in fact, prevention and punishment are not opposing nor incompatible actions but rather different approaches of intervention on crime (Redondo & Martínez-Catena, 2012). The Ecological and Public Health approach to IPV opens the door to incorporating prevention strategies from a cross-sectional perspective, including a variety of professionals such as psychologists, criminologists, lawyers, sociologists, social workers, and nurses, among others (Krug et al., 2002).

Given the multifactoral nature of IPV and its different criminal behaviors, preventing IPV will also require diversified interventions in order to be more effective. On the one hand there is the protection and

assistance of the victims, and on the other there are the aggressors, and often their children and other family members. Criminal punishment, such as the imprisonment, could be preventive of future crimes; but when the imprisonment is prolonged, it can isolate the offender but not address the issue of recidivism (Redondo, 2007).

In order to better define measurement practices, terminology, and operational processes, most recommendations include a call for more rigorous data collection and targeted research on IPV (Harvey et al., 2007). Given that the public health approach is cross-sectional, all prevention will necessarily imply coordination between social institutions such as family, school, commerce, police, and justice interventions. This approach is in keeping with the core elements of the Ecological Model approach to both understanding and combating IPV in Spain.

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9

Stalking as a Phenomenon in a Danish Context

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INTRODUCTION

The story about stalking in a Danish context begins with Lise Linn Larsen, the Director of the Danish Stalking Centre organization, and her personal experience with stalking, which led to the founding of the organization behind the Danish Stalking Centre and the establishment of the phenomenon of stalking in a Danish context. The story also illustrates the manner in which social structures contribute toward consolidating and reinforcing the repercussions of stalking.

Background

A break-up with a boyfriend led to a year-long struggle against stalking, entailing chaos, powerlessness and despair. Both my daily life and identity deteriorated as stalking took over my life.

One day, my ex-boyfriend forced his way into my apartment and attacked me. The two hours he was in my apartment were the worst hours of my life. I did not think I would make it out alive. He tried to strangle me, ripped my clothes to shreds, and destroyed my home. When he finally left the apartment, I was left trembling, feeling helpless and in despair.

I found my phone and called the police. I was in shock, but was able to explain to the officer what had happened. The officer told me that since

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there was no blood in the apartment, they would not send anyone out on a Saturday. It did not make a difference that the stalker actually had a restraining order to keep him from approaching me—an order he had violated many times before. It was suggested that I come in on Monday during office hours to report the attack.

The officer's reply felt like a kick in the gut. It tipped me over the edge I had been balancing on throughout the many months of extensive stalking. Until then, I had strongly believed the police would help me if I was in danger. The fact that I was not being taken seriously felt as though they completely disregarded the mortal danger I had just been subjected to.

I felt I was losing my mind, because no one understood me. Nothing in my life made sense any longer. I felt worse and worse. I was in constant state of fear and couldn't sleep at night. It got to the point where I could no longer function as a psychotherapist or manage my university studies.

After the attack, I was too scared to be in my own apartment. But when I called the municipality to get help to find a new home, where I could feel safe, I was told that the municipality couldn't help me with that kind of thing. Time and again I was met by professionals who didn't understand what I was going through. The professionals at the women's shelter, where I stayed for nine months, told me I had been the victim of psychological violence. The staff at the psychiatric unit told me I suffered from PTSD—but no one could explain what I had been subjected to. No one could help me handle the stalking and its consequences. With good intentions, a psychologist advised me to destroy all emails, messages, and photos from my stalker, as a way to improve my mental health. Out of sight out of mind was the idea, apparently.

Despite the restraining order, the stalking continued, with no consequences for the man stalking me. On December 19, 2007, I saw my stalker for the last time. About a week after, he committed suicide. At that point, the stalking had been going on for about a year.

There were many victims. I was the primary victim and my three children were secondary victims. He was a victim of his own obsession, while his daughter was a secondary victim. She lost her father at the age of 11.

My life was in ruins. From being a resourceful woman with an independent career and a mother of three, I was now living at a women's shelter, powerless to act and psychologically damaged by the year of a living hell. It could have ended much worse for me, and my story is just a drop in the ocean.

My frustration over the lack of knowledge impelled me to write the book Stalking—harassed, followed and threatened *(2010), which was the first Danish textbook on stalking. It was written for the purpose of placing stalking on the political and social agenda, and to spread knowledge of stalking and to initiate debate on the issue. During the writing process, I was contacted by many distraught stalking victims who had sought help in vain. I therefore founded the Danish Anti-Stalking Association and opened an anonymous helpline, which I myself—and later a couple of volunteers who I personally trained—operated from my home. In addition to*

the helpline, I worked to draw attention to stalking in the media and among politicians. I held presentations on stalking for professionals at the Danish National Board of Social Services, at counselling centers, at women's shelters, etc. I also wrote grant applications to get funding for our work.

DANISH STALKING CENTRE

After several years of lobbying, in 2015 the volunteer Danish Anti-Stalking Association received financial funding from a private foundation and could open its first professional operations in Denmark and employ its first staff members. The founder of the association, Lise Linn Larsen, became Director of the organization with the new name *Danish Stalking Centre*. Until that point, all counseling and assistance had been provided by volunteers in borrowed offices.

Since its opening, the Danish Stalking Centre has been a leading intervention and knowledge center in the efforts against stalking in Denmark and other Nordic countries. The Danish Stalking Centre offers psychosocial counseling, legal advice, and psychotherapy for stalking victims and their children. Treatment for stalkers is also provided, based on a holistic and preventative perspective. When we help stalkers to stop stalking, we are also helping the victims. With the aid of systematic documentation and data collection using various test batteries, interventions, and instruments to measure effect, the Centre has acquired evidence showing that specific and professional measures are effective for victims and stalkers.

The Danish Stalking Centre has established multidisciplinary cooperation with the police and several municipalities, as well as certain universities, in order to strengthen the efforts toward stalking and generation knowledge and data collection. The Centre has also formed international contacts and established cooperation with other organizations working with stalking, knowledge centers, and researchers.

STALKING AS A PHENOMENON

Development

Before 2010, stalking was unknown as a socio-psychological or legal phenomenon in Denmark. Through international research for the book *Stalking—harassed, followed and threatened* (2010), it became clear

that stalking was a serious social problem with profound consequences for the victims' life. Very few were aware of the term—besides those who associated it with a phenomenon that befell international celebrities or something from a horror film.

At the women's shelters, professionals were aware that women subjected to violence were often followed, harassed, and monitored. However, they did not view this behavior as anything other than aspects of behavioral violence against a partner. And certainly not as anything that could occur in relations between friends, acquaintances, and colleagues. It was also not imagined that men could be victims of stalking.

Even the police were not aware of the phenomenon: "There is no stalking in Denmark. That's something you see in films—and something that happens to famous people like Madonna and Jodie Foster," were among typical comments about stalking. The police also feared that a book on the concept would create confusion and encourage mentally ill citizens to bother the police with matters they had no time to deal with.

When the book, *Stalking—harassed, followed and threatened,* came out, with an in-depth, socio-psychological and legal introduction to the phenomenon of stalking, it became the defining framework for the phenomenon in a Danish context. A language platform was created for the purpose of communicating and identifying the otherwise incomprehensible encounters experienced by people every day, regardless of gender or relationship.

Media Focus on Stalking

The media's major focus on the phenomenon since 2010 has been significant for the process of communicating knowledge about stalking. National and local radio and TV stations and newspapers have provided numerous series of articles, news reports, and documentaries about stalking and its consequences. These elements have been informative and have stirred debate. Several victims and a few stalkers have come forward to share their experiences with stalking, and the problems and challenges they have faced in receiving help and understanding from the authorities.

Cooperation With the National Police of Denmark

The Danish Stalking Centre has carried out several development projects with the police and has thereby established a valuable and constructive cooperation with both the local and national police, with whom the Centre has an ongoing dialog. Significant changes have taken place from the time the association was established and the first meetings were held with politicians from justice committees. Today, stalking is

firmly on the agenda of the Ministry of Justice and the police. Several annexes have been made to current laws on restraining orders, including exclusion orders and emergency protective orders. The latter can be issued within hours or days in serious and high-risk cases, if it is apparent that the stalker does not intend to stop stalking. Furthermore, in 2017, the National Police were instructed by the Ministry of Justice to draw up special guidelines in stalking cases and to introduce the risk assessment tool, SAM (Stalking Assessment Management).

Political Acknowledgment

Since 2010, several meetings have been held with politicians from the various parties at the Danish Parliament, and with several ministers, as well as representatives from the Gender Equality Committee, the Social Committee, and the Justice Committee. They have been given an introduction to stalking as a social problem, where police and municipalities have an important responsibility to ensure the protection of victims. The need for specialized efforts by the Danish Stalking Centre have been described, with a presentation of the efficacy of the Centre's work.

In November 2018, the fruit of many years of persistent political lobbying could finally be harvested, as the Danish Stalking Centre secured yearly government funding for operating costs from January 1, 2019. These operating funds finance the Centre's work, including counseling and treatment for all those affected by stalking, as well as the development of interventions and methods, education and competency enhancement for professionals within the police and municipalities, and information activities targeted at civil society.

All of the above means that in Denmark, political acknowledgment of stalking as a social problem that requires specialized help, knowledge, and expertise has now been attained. There is also an acknowledgment of the need to provide public services for help, support, and treatment for all those affected by stalking, regardless of gender, age, and relationship. All services are free of charge.

STALKING AS VIOLENCE

Exploring the Concepts of Psychological Violence and Latent Violence in Relation to Stalking

Isdal (2000) defines interpersonal violence as a *relational* concept, as: "Violence is an act directed at another person, who by this act harms, hurts, frightens or offends, and gets the other person to do something

against their will or to stop doing something they would otherwise do." Isdal points out violence is one of the strongest available manifestations of power, demonstrated in situations where the perpetrator of violence feels that his or her power is under threat. Violence can be either planned or exerted in anger, in an attempt to regain the "necessary" control and balance of power in relation to another person. Violence is divided into the following subcategories: physical violence, psychological or emotional violence, latent violence, sexual violence, material or financial violence, and violence as a defense. But stalking, as an independent phenomenon, is not described. The closest description of violence that involves elements of stalking is that of psychological and latent violence:

- **Psychological violence:** Involves all forms of verbal and nonverbal violence that demeans, frightens, and offends another person. This may involve actions intended to control or dominate with the aid of underlying power or threats. Isdal categorizes psychological violence in seven subgroups: direct and indirect threat, degrading and humiliating behavior, jealousy, isolation, and emotional violence. A common factor for all subgroups is that they occur in intimate relationships, create distance, and are destructive for the relationship.
- **Latent violence:** Defined as violence that is effective *by virtue of its potential*. Fear of *potential violence* and therefore a veiled *threat* of this potential violence may end with dominating and controlling a person's behavior. If violence has latent control over a relationship, it may change the behavior and actions of the victim, who strategically plans certain behaviors with the intent of steering clear of fear and potential violence.

Psychological Violence and Stalking

In studies of partner violence (2002) where the woman has left the relationship, the same type of actions found in psychological violence in the relationship (threats, demeaning and humiliating behavior, jealousy, isolation) were identified in the violent behavior involved in stalking the woman. These researchers found a correlation between behaviors involved in psychological violence, including surveillance, isolation, control, and jealousy, and those found in stalking. Stalking was described here as behavior that is intended as a strategy of power and control, similar to the strategy seen in psychological violence.

Experiences from Danish Stalking Centre indicate an overlap between the consequences of stalking and consequences of certain forms of psychological violence, including anxiety, depression, and PTSD.

By delving deeper into the research on the differences and similarities between stalking and psychological violence, and focusing on the utilized strategies, one will find overlapping methods and activities by the perpetrator; for example, in recurrent and systematic text messages and phone calls, as well as surveillance and threats.

When solely examining the relationship between the parties, the differences between the two forms of violence become more apparent. Where psychological violence typically occurs in relationships with a close emotional dependency and an asymmetrical balance of power between the parties, the scope of individuals exposed to stalking becomes much broader.

Every year, 2% of the Danish population is subjected to stalking—the equivalent of about 100,000 victims per year. A closer examination of relationships between the parties shows that stalking does not solely occur in (previously) intimate relationships. The relationship between stalker and victim can be categorized into three groups (Justitsministeriets forskningskontor, 2018):

1. Intimate relationship: former partners, ex-girlfriend/boyfriend, former dates, previous affairs, and so forth: 28%.
2. Acquaintances: friends, neighbors, colleagues, professional relationships: 40%.
3. Strangers: no previous relationship between the parties: 32%.

An even closer look at the phenomenon of stalking shows that victims, regardless of the type of relationship between the parties, live with a constant feeling of being threatened and unsafe. They experience perpetual fear, an overwhelming loss of control, and the loss of everyday habits, routines, and predictability.

Latent Violence and Stalking

In the efforts to define stalking as a specific form of violence in a Danish context it has been difficult to find literature that specifically associates stalking with latent violence (Larsen, 2013). Stalking primarily involves two categories of violence: physical and psychological. Nevertheless, we can recognize significant aspects of Isdal's definition of latent violence in studies that address stalking as a phenomenon related to violence (Logan, Cole, Shannon, & Walker, 2006; Morowitz, 2002). The researchers note that regardless of whether the stalker acts directly and in a visible manner, or indirectly and in secret, the victim believes that the stalker may be capable of anything. Similarly, the researchers describe that stalking victims are affected by their experiences, abrupt encounters, and fears such as: "When will it happen again" or "How far will he go?" According to these researchers, it is

the unpredictability of the encounters that characterize and partly constitute stalking.

A closer look at these descriptions shows how *unpredictability* and the sense of loss of control dominates the victim's actions in terms of dealing with and attempting to steer clear of the fear and threat of violence. An example of this is how victims attempt to avoid places where they may potentially be confronted by the stalker. Another example is how victims may also postpone or change their habits and routines, avoid situations and physical places—and will continuously seek to stay ahead of what might occur. Therefore, stalking results in a change of behavior, and encroaches on the victim's peace of mind, lifestyle, and freedom of movement. It therefore violates the victim's right to live freely without violence—and without stalking.

Harassment and Stalking

In Denmark, harassment and stalking are described as two different types of behavior, and it is important to distinguish between the two concepts to determine whether stalking is taking place. Harassment is behavior that typically impacts the victim personally and emotionally, but does not necessarily intrude on the victim's lifestyle, since harassment often occurs in a limited and peripheral context, such as at a sports club or in the workplace. Harassment is viewed as a phenomenon and a behavior that affects the victim personally, and can be hurtful, aggravating, irritating, or emotionally offensive. However, it does not necessarily cause fear or anxiety.

Stalking, on the other hand, involves behavior that strongly intrudes on the victim's lifestyle, and violates and disturbs the victim's peace of mind. It involves behavior that is intimidating and frightening, that invades the victims' private and intimate spheres, and violates their physical and personal boundaries. Victims may be exposed to stalking whether they are at home or at work, online, with someone else or alone. Stalking destroys natural, protective boundaries, such as being in one's own home and having a sense of safety and security. It therefore generates fear and has an invasive effect. The perpetual threat that anything can happen beyond the victim's control maintains and reinforces fear and the overwhelming sense of powerlessness. One could say that, unlike harassment, stalking involves specific elements that creates fear and anxiety, which are intrusive and violate personal boundaries.

In many cases, stalking begins as harassment; however, the moment this behavior includes following and surveillance, harassment becomes part of a stalking phenomenon. One could say that harassment is an

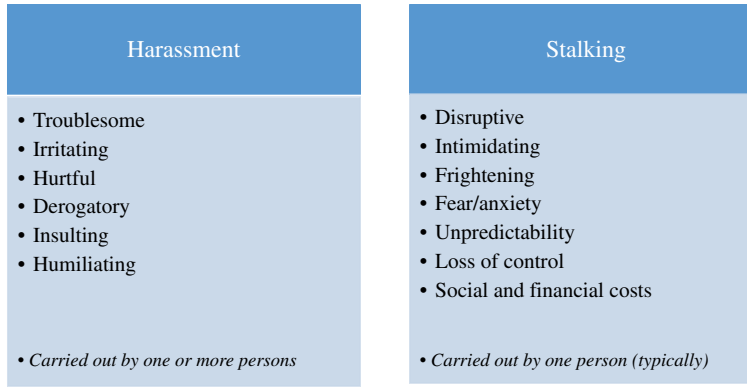

Figure 1 Harassment versus stalking.

element of any stalking case, but that harassment alone cannot be considered stalking (see Figure 1).

Conflict and Stalking

When providing presentations on stalking for the police, municipal social services, family services, and employment service centers, people commonly confuse the terms "stalking" and "conflict." Some have asked, "Isn't this just a conflict between two parties?" This is especially true for police officers who have a lot of experience dealing with conflicts related to divorce and visitation arrangements. It is not uncommon for professionals participating in stalking seminars to begin by saying they have never encountered stalking victims in their work. In the course of the program, however, they become aware of how they have been confusing the two concepts—and that they actually have encountered quite a few cases of stalking, but have not perceived them as anything other than conflicts to be resolved by the parties in question. Many cases have therefore been incorrectly managed.

By learning more about the two phenomena, and how to differentiate them, it is important to identify and distinguish the two concepts. If stalking is viewed solely as a conflict, the victims will not receive the help and support they need (see Figure 2).

A conflict involves two parties that disagree on "something," where both parties stir conflict through mutual accusations and counterarguments. In this situation, both parties are feeding the fire, thereby maintaining the flame. Overall it is important to examine the patterns in the case: conflict typically involves a pattern of *mutual* accusations and *mutual* communication. Stalking, on the other hand, involves

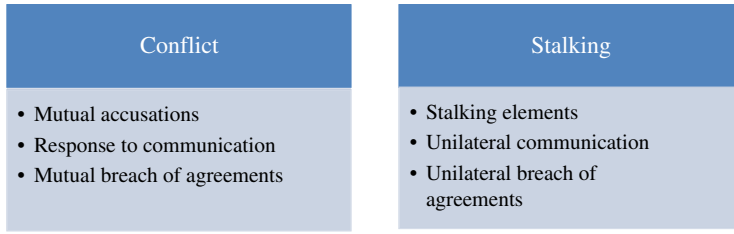

Figure 2 Conflict versus stalking.

communication that is primarily *unilateral*. Here, there is one party that repeatedly makes accusations, seeks contact with the other party, and that possibly violates the agreements the parties have made (e.g., in custody cases). Stalking is a situation where the accusations are unilateral—they primarily come from one party directed at the other party, assuming, of course, that the victim has made it clear that they do not want contact or communication of any kind.

Summary

Stalking behavior violates a victim's boundaries and infringes their integrity. It can therefore be characterized as both violence within its own category and also sitting within a larger continuum of violence that encompasses elements of psychological and latent violence. Stalking may also encompass physical and sexual violence. It is essential that we differentiate between stalking, harassment, and conflict. Harassment may be an element of stalking, but does not make up the entire phenomenon, and stalking is clearly distinguished from conflict due to the aspect of mutuality in the phenomenon of conflict.

STALKING AS A SOCIAL PROBLEM

In a 2013 study on the significance of stalking for stalking victims, it was apparent that something repeatedly went wrong in the encounter between the victim and the professionals from whom the victim sought help (Larsen, 2013). Regardless of whether the victims went to the police station or to municipal services, they were met with skepticism.

Instead of receiving help, victims experienced being met with distrust—and also their claims of stalking were turned into something self-imposed. "You were the one who invited him in," or "How difficult was it for you to be sent red roses and compliments all the time?"

Victims encountered professionals who encouraged them to seek psychiatric help, with the conviction that the stalking might be a sign of paranoia or other symptoms of mental illness. Instead of receiving help to solve the problem, they were viewed as the problem, and were thereby retained in a situation that could only worsen. It became evident how their contact with professionals affected them and altered their self-perception. From previously having a good sense of self-worth and trust in themselves and the outside world, from having good and healthy judgment skills, from being self-reliant and managing their lives, the victims began to feel powerless and paralyzed by symptoms of anxiety and PTSD.

While recognizing that Danish professionals undoubtedly do not want to make life more difficult for stalking victims, it became obvious that the problem was knowledge—or, rather, the lack of knowledge. Lack of knowledge about stalking can easily lead to misunderstandings and prevent the victim from receiving the right type of help and protection. In this way, social interventions are a determining factor in the development of a stalking case. When a stalking victim does not receive the proper help in time, there is a risk that the stalking will become violent—and in extreme cases end in death.

The Danish Stalking Centre became aware that social services, the health care system, employment service centers, the police, and other agencies lack knowledge and understanding of the character and scope of stalking, as well as the ability to identify stalking behavior. Similarly, there is insufficient knowledge of how professionals can assist stalking victims and handle these cases in the best possible manner.

Based on this information, it is clear that stalking cannot be solved by the victim alone. The solution is a social responsibility, which requires a strengthening of social structures. Government authorities and sectors must be strengthened through competency enhancement of professionals. The professionals should receive knowledge about stalking, guidelines, and policies for action.

The Right to a Life Without Violence

For many years, Denmark has been a party to the European Convention on Human Rights, and its work to prevent violence and protect its citizens from violence. The Convention on Human Rights requires states to protect individuals against abuse of rights, which includes domestic violence. In 2014, Denmark ratified the Council of Europe Convention (Istanbul Convention) on preventing and combating violence against women and domestic violence. Denmark has therefore ratified human rights provisions stipulating that everyone has the right to live a life

without violence, including the right to live a life without stalking. However, Denmark failed to criminalize stalking as an independent act, primarily because protection against stalking is secured in Act no. 112 regarding restraining orders, no contact orders, and residence exclusion orders. Evidence indicates that the Act related to restraining orders, no contact orders, and residence exclusion orders has not had the desired effect on protection, and that the perpetrator is seldom prosecuted.

Preparatory Legislative Efforts to Criminalize Psychological Violence

In early 2018, work was initiated on preparatory legislation aimed at the criminalization of *psychological violence in intimate relationships*. The legislation was intended to protect women and men exposed to psychological violence by current or former partners, family members, or equivalent. The Danish Stalking Centre was invited to participate in this work, which began with a meeting at the Ministry of Justice.

The perspective of the Ministry of Justice was that the criminalization of psychological violence and an adoption of a specific law against psychological violence would also apply to legal protection of stalking victims in Denmark. However, after extensive work on defining the concept of psychological violence as a legal and psychosocial concept, it soon became apparent that stalking and psychological violence could not be considered the same phenomenon.

It also became evident that a law against psychological violence would not encompass the large group of stalking victims, because it would only apply to a smaller subgroup of stalking victims—the subgroup of people who had left a violent relationship where the violence continued in the form of stalking. This group comprises less than 28% of all stalking victims (Justitsministeriets forskningskontor, 2018).

If the law against psychological violence were to include the act of stalking, 72% of stalking victims in Denmark would have no legal protection. Therefore, a law against psychological violence would in no way apply to stalking victims.

A law against psychological violence is expected to be in place in 2019, with special provisions implemented in the penal code against psychological violence. The penalty is imprisonment for up to three years.

The Need for Criminalization of Stalking

So far, stalking is *not* considered a criminal offense in Denmark. It is only when stalkers have violated a restraining order or exclusion order, and simultaneously stalking behavior is identified, that the stalker can be charged with a violation of the restraining order and possibly

sentenced. However, this seldom occurs in cases solely involving stalking. Typically, additional violations such as threats or physical violence are required for legal action. In Denmark, the burden of proof lies with the injured party, which means that stalking victims have the sole responsibility for providing evidence and documentation of incidents and claims of stalking.

Violations of restraining orders may be penalized by fines and/or prison for up to two years. Generally, violations of restraining orders are penalized by smaller fines, at least 135 EUR, and only in rare cases are stalkers sentenced to a few months of imprisonment.

In a 2014 report by the Danish Institute for Human Rights, stalking is recognized as violence (Rasmussen, 2014). In the report it is emphasized that it is problematic that stalking is not in itself considered a crime. For the same reason, the Danish Institute for Human Rights recommends the criminalization of stalking by law. The Danish Stalking Centre will continue its efforts to achieve a specific stalking provision in the Danish Penal Code.

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10

Stalking in Portugal: From Numbers to the New Challenges

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INTRODUCTION

Persistent, intrusive, and unwanted harassment—stalking—is no longer considered to be a reality exclusively experienced by celebrities and/or public figures. Strictly speaking it never was, even though public awareness of stalking will perhaps always be associated with media coverage involving this type of stalker and victim (Ferreira, Matos, & Antunes, 2017; Lowney & Best, 1995).

It is not excessive to state that the genesis of stalking behaviors is as ancient as the human species and the difficulties humans face when establishing personal relationships (see Meloy, 2007). However, because the ancestry of such practices does not legitimize their perpetration, stalking behaviors (as with other types of violence) have been receiving progressive social interest and condemnation, reflecting their abusive as well as violating (of rights, freedoms, and personal guarantees) character.

It is a "social and behavioural complex phenomenon" (O'Connor & Rosenfeld, 2004, p. 4), built on a wide range of conducts and it encompasses

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a truly varied and heterogeneous spectrum of victims and perpetrators (e.g., Mullen, Pathé, Purcell, & Stuart, 1999; Pathé, Mullen, & Purcell, 2001; Spitzberg & Cupach, 2007). As a whole, it can be defined as "a pattern of persistent harassment behaviours, materialised in diverse ways of communicating with, getting in contact, surveilling, and monitoring a target-person" (Grangeia & Matos, 2010, p. 124). Due to its broadness, it is difficult to outline a range of conducts in a tight and categorical manner. The myriad of possible stalking behaviors ranges from daily activities—that can present themselves as harmless, routine, and even flattering, if analyzed without taking into account their context (e.g., offering flowers and gifts, sending emails)—to explicitly intimidating, threatening, and physically or sexually violent behaviors (cf. Spitzberg & Cupach, 2007).

Contrary to other types of interpersonal violence, stalking can form a campaign and reiteration of behaviors, through a progressive, persistent, and unwanted temporal recurrence of conduct, whose meaning strongly depends on the target-person's subjective interpretation (McKeon, McEwan, & Luebbers, 2014; McNamara & Marsil, 2012). From a legislative point of view, stalking will not usually constitute criminal activity via a single act. Stalking behaviors are often progressively built by an escalation of frequency and seriousness that, through their perpetuation and unpredictability, end up seriously affecting the freedom and the psychological function of the victim (e.g., Diette, Goldsmith, Hamilton, Darity, & McFarland, 2013; Purcell, Pathé, Baksheev, MacKinnon, & Mullen, 2012).

THE EXPERIENCE OF FEAR

Even though we do not have capacity to engage in an exhaustive review of the definitions of the phenomenon here, we could not put aside the need to comment on the usage of the "fear" criterion as a defining element of the experience (cf. Dennison & Thomson, 2005). In some jurisdictions, there exists a requirement that the victim feel fear. In such situations, the acknowledgment of an experience as being stalking conduct is dependent on its assessment as threatening by the target-person and/or by a "reasonable person" (whose hypothetical assessment is always external to the situation). From our point of view, this requirement hinders the fair and equal treatment of all the victims, as it does not take into account those who, having experienced this type of behavior, do not show or report fear/feelings of being threatened. The more we are aware of the range of emotional and

behavioral reactions to this type of campaign (e.g., Baum, Catalano, Rand, & Rose, 2009; Matos, Grangeia, Ferreira, & Azevedo, 2011), and the more we see that these reactions are strongly influenced by diverse factors and/or result from the victimization dynamics (e.g., Johnson & Kercher, 2009; Matos, Grangeia, Ferreira, & Azevedo, 2012; Purcell et al., 2012), the more such consideration is relevant. As underlined by Dietz and Martin (2007), typifying a victimization experience based on a criterion of "fear" implies that fear is something completely objective, instead of recognizing it as an eminently social construction. Such concern and recognition seem to have been taken into account by the Portuguese legislator, who gave privilege to a wider drafting ("in an adequate way to cause fear or worry or to harm his/her freedom of determination").

THE SITUATION IN PORTUGAL

This chapter will now provide a detailed analysis of the Portuguese reality. In order to do so, we will present a series of empirical data and criminal statistics regarding this violent phenomenon in our country. We must highlight that this "numbers radiograph" includes two main time frames and two types of sources: data from pre-criminalization empirical surveys and official post-criminalization statistics. This approach aims to illustrate the timeline and the recognition process of stalking in Portugal: from the academic and scientific context to the social, political, judicial, and legal contexts (Ferreira et al., 2017).

Data From Pre-Criminalization Surveys

In Portugal, the "numbers' timeline" is widely associated with the "disclosure phenomenon's timeline" and with its recent criminalization (cf. Ferreira et al., 2017). Since 2010, in a scenario initially characterized by a total legal vacuum and a scarce social awareness of this type of violence, the Group for Research on Stalking in Portugal (GISP) has been developing numerous and significant investigations into the phenomenon. These can be categorized according to the following three well-defined empirical methodologies: prevalence surveys (Costa, 2011; Grangeia, 2012; Matos et al., 2011); surveys characterizing prototypical stalking scenarios and dynamics (e.g., Ferreira & Matos, 2013a, 2013b; Matos et al., 2012); and surveys on attitudes and perceptions concerning the phenomenon (e.g., Grangeia & Matos, 2013; Pereira, Matos, Sheridan, & Scott, 2014).

General population

According to the empirical tradition from other countries, the motivation to conduct the first (and, until now, single) stalking victimization survey came from the need to promote a wider, detailed and contextualized scientific knowledge on the phenomenon and, consequently, to potentiate the development of intervention strategies that could be more efficient and adjusted to the needs of these type of victims (Matos et al., 2011, 2019).

The survey was conducted with a representative sample of the population (N = 1,210) and the life prevalence rate was revealed to be significant and similar to rates identified in other countries: 19.5% for the total sample, 25% for women, and 13.3% for men. From the total of the respondents, 28.8% stated having been a target of a stalker in the previous 12 months (31.7% for women and 23% for men).

Although the fear requirement was not included as a standard criterion for the experience, the majority of victims (78.2%) mentioned having felt "scared/frightened" when being a target of such behaviors, and women reported fear more often than did men. It was possible to conclude that the prevalence rates would decrease as a consequence of including the fear criterion. Among men, the inclusion of fear would have dropped rates from 13.3 to 6.7%, and among women the rates would have dropped from 25 to 19.2% (19.5 to 13.3% within the total sample). These data replicate conclusions drawn in other international surveys and underline the idea that if fear is included as an element necessary to define stalking, then it is more likely that gender differences will be seen concerning the prevalence of victimization, as women tend to feel more fear and report more severe consequences than male victims (White, Kovalski, Lyndon, & Valentine, 2002). Tjaden, Thoennes, and Allison (2002) compared stalking prevalence rates taking into account a legal definition of the phenomenon and the idiosyncratic definitions of participants in an USA survey. When the prevalence rate was based on self-definition as a stalking victim, the male victimization rate tripled and the number of female victims increased by 50%, compared to the figures based on the legal definition. Specifically, 60% of the participants who defined themselves as victims were not included in the legal criterion for stalking victimization as they did not fulfill the fear criterion.

In the Portuguese national survey of stalking victimization (Matos et al., 2011, 2019), and according to previous international research (e.g., Spitzberg & Cupach, 2007), the majority of victims (75.2%) identified the stalker as someone he/she knew well and 31.6% specifically stated that the conduct emerged from a previously intimate relationship. The most frequently experienced behaviors took the form of

unwanted contact attempts (79.2%), appearances in places the victim usually frequented (58.5%), and persecution (44.5%). On average, victims were targets of 3.6 distinct behaviors (DP = 2.21; Min. = 1; Max. = 10), with no relevant differences between men and women regarding the number of total reported behaviors. In fact, and with the exception of two specific types of behavior (*Unauthorised filming and photographs*—more common to men and *Persecuting*—more common to women), it was possible to ascertain a lack of relevant differences between victimized men and women, despite the gender asymmetry previously mentioned and related to the feeling of fear.

Moreover, more than 80% of the victims mentioned that the behaviors occurred on a daily or weekly basis and, in more than half of the cases (66.8%), the experience lasted more than one month. In general, results have shown that stalking timelines increased with the level of intimacy in the stalker–victim relationship and also that physically aggressive behaviors toward the victim or other people mainly occurred when the situation lasted more than two years, which is consistent with other empirical data related to the risk of stalker violence (McEwan, Mullen, & Purcell, 2007; Mullen et al., 2006).

Data gathered on the impact of such victimization experiences are also compatible with the international literature (e.g., Mechanic, 2002) and serve to reinforce the certainty of the harmful effects of stalking. In this survey, the vast majority of the victims (87.3%) reported negative consequences, relating to distinct dominions of their individual and interpersonal functioning (professional/academic performance, physical wellbeing, psychological health, relationships with people in general, intimate relationships, economic/financial, lifestyle/behaviors). On average, victims reported a total of 3.31 affected areas (DP = 2.21; Min. = 0; Max. = 7), with no significant gender differences. The most significantly impacted areas were psychological health (43.4% of the female victims and 22.4% of the male victims), lifestyle/behaviors (29.7% for females and 16.4% for males), and intimate relationships (23.3% of the women and 23.7% of the men).

Despite this, and in contrast to findings from the international scenario, stalking victims in Portugal revealed significant difficulties in seeking support, which is not unrelated to the scarce legal and social recognition of the phenomenon at the time which might have led to the victims disregarding themselves as such. Only 40.7% mentioned having sought some sort of support to deal with the experience and, among these, the most frequently activated source was informal (friends, family, and/or co-workers/school colleagues).

Globally, the results from this survey are convergent with the evidence reported by international projects in the same area, in terms of

prevalence rates and victimization characteristics and dynamics. As already mentioned, the major dissimilarity related to the figures on the search for support, which were substantially lower in the case of Portuguese victims. For example, in a survey conducted in Australia by Purcell, Pathé, and Mullen (2002), 69% of the victims sought some kind of assistance to help them deal with the stalking.

Besides this pioneering and, until the present day, single national stalking victimization inquiry, other surveys by GISP aimed to analyze the specificities of this type of violence in two particularly vulnerable subgroups: psychology professionals (Costa, 2011) and youngsters (Grangeia, 2012).

Psychology professionals

Aiming to assess the extent and nature of this type of victimization experience among psychology professionals, Costa (2011) adopted a conceptual and methodological approach extremely similar to the one used for the national survey. The definition and operationalization of stalking was the same and an adapted version of the same data-gathering instrument was employed. The sample constituted 129 psychologists. All were Portuguese or practicing in Portugal and their areas of profession were as follows: Clinical Psychology = 61.2% and Forensic Psychology/Psychology of Deviant Behavior = 38.8%.

The survey examined stalking victimization dynamics in a specific context, and within a population previously indicated by the literature as being at an additional risk of this type of violence. This risk is due to the inherent nature of the professional role, necessitating regular and close professional contact with lonely people and/or people suffering from potential mental health problems (Galeazzi, Elkins, & Curci, 2005; Pathé, Mullen, & Purcell, 2002).

In total, 9.3% of the participants who formed the survey's sample reported having been the target of stalking behaviors by someone they had monitored/assisted/assessed (72.8%) or by a person acquainted with, or who was a family member of, the patient (27.3%). The results from this survey made it possible to identify a set of characteristics of this subgroup of victims and stalkers.

The majority of the victims were female, with an average age of 30 years and an average of 8 years professional experience, mainly practicing in public services/contexts. The stalkers were predominantly male (58.3%), and single or separated/divorced (75%). In about half of the cases (45.5%), the stalker was someone with whom the professional had established a therapeutic relationship; in 27.3% of the situations, it was a person of acquaintance/colleague/friend/neighbor or family

member of the patient. Regarding the motivations victims assigned to the stalker's conduct, the following stood out: desire to initiate an intimate relationship (66.7%), need for attention (66.7%), psychopathological diagnosis (50%), and the need to control the professional (41.7%).

The victimized professionals highlighted as psychopathological diagnoses the presence of a dependent personality disorder, schizophrenia, and psychosis, which corroborates other empirical evidence on this group of offenders (Mullen et al., 1999).

On average, these professionals were targets of 2.75 different behaviors (DP = 1.82), the most frequently reported being attempts to contact through letters, notes, emails, or phone calls (83.3%), surveillance behaviors (41.7%), and unwanted meetings in places where the victim usually went (41.7%). About half of the participants mentioned campaign timelines from 1 to 6 months; 16.7% reported timelines from 7 to 12 months and 8.3% referred to clearly longer timelines (more than 2 years).

The vast majority of these victims (83.3%) also stated experiencing fear as a result of the stalking conduct and four main areas of impact were identified: psychological health (41.7%), intimate relationships (33.3%), professional/academic performance (25%), and lifestyle/behaviors (25%). Similar to that seen regarding the national inquiry, only 25% of these professionals sought some type of support to help them deal with the experience and, of these, only 33.3% obtained it from formal sources (legal system professionals, social or victim support services).

College students

Grangeia (2012) examined stalking prevalence and characteristics among college students (aged between 18 and 30 years old) in Portugal (N = 3,367) and investigated how victims and stalkers perceived their experience. Overall, results showed that stalking was highly prevalent among Portuguese college students, with rates of 34.5% for victimization and 8.9% for perpetration.

Stalking victimization was significantly more prevalent among females, who reported having been mainly stalked by males. Victims (males and females) mentioned that stalkers were mainly ex-partners (47.4%) or acquaintances (40.8%); only 5.8% of the victims were stalked by a stranger. The majority of the victims (65.4%) mentioned having experienced fear following experience of the behaviors. In turn, 8.9% of the participants, predominantly males, admitted that they had engaged in stalking behaviors. Contrary to what was stated by the victims, the majority of stalkers (62.5%) did not assess their conduct as a potential inducer of fear in their targets.

Particularly taking into account the data provided by the victims, it was possible to identify the substantial persistence of the stalking campaigns: from 1 to 6 months in 31.8% of the cases; between 7 and 12 months in 18.2% of the situations; from 13 to 24 months in 15.7% of the cases; and more than 2 years for 10.7% of the victims. On average, participants experienced 13.28 different behaviors (SD = 6.24; range 0–35), and the following were the most common ones (frequency superior to 75%): *Direct Approach* (90.6%), *Electronic or Text Messaging* (87.2%), *Unrequested Phone Calls* (83%), *Gathering Personal Information On the Target Through Other People* (78.2%).

Victims of domestic violence

Even though stalking can emerge in multiple and diverse sub-scenarios, the literature has given particular attention to a particular relational context, namely after a breakup. Such attention is due, on one hand, to empirical data which demonstrate its frequency (e.g., European Union Agency for Fundamental Rights, 2014; Logan & Walker, 2009; Spitzberg & Cupach, 2007) and, on the other, to data which demonstrate its high severity, frequency, and chronicity (Brewster, 1998; Campbell, Glass, Sharps, Laughon, & Bloom, 2007; McEwan et al., 2007; Mullen et al., 2006).

A survey was conducted with a sample of 104 women victims of both violence during the relationship and of post-breakup stalking (only for heterosexual relationships). This allowed Ferreira and Matos (2013a) to substantiate the prolonged and particularly severe character of such a sub-scenario of the phenomenon within Portugal, corroborating other international surveys on the subject. On average, the victims experienced 18–19 diverse stalking behaviors (from a total of 35 different behaviors) with more than half the mentioned acts of physical aggression occurring within the specific context of post-breakup stalking (*He physically attacked me or hurt me*—54.8%; *He grabbed me and blocked my way*—51%). Less significant, although still alarming (due to the seriousness and severity of the actions), victims also mentioned behaviors involving threatening with weapons or other intimidating objects (37.5%), attempts of forced sexual intercourse (35.6%), and attempted murder (29.8%).

When questioned about the timespan of stalking behaviors, more than half of the victims mentioned time periods superior to 6 months, more specifically: between 7 and 12 months—25%; from 13 to 24 months—22.1%; and more than 2 years—13.5%.

As a result of this type of victimization, the vast majority of the participants reported feelings of fear and anxiety (91%) and stated that

the ex-partner's conduct had a negative influence on their lives (92.1%). About half of them (42.3%) showed a clinically significant psychosocial maladjustment when data were gathered.

Contrary to previous research, this survey provided a more detailed analysis of the predictive factors for such maladjustment, taking into account variables relating to the victim (age, academic qualifications, and socio-economic status), the ex-relationship (timespan and frequency of the violence), the post-breakup stalking campaign (time frame [past or present], timespan, and frequency of the behaviors), and the adopted coping strategies (seeking formal and/or informal support; avoiding, negotiating with, and/or confronting the stalker; denying or underestimating the behaviors (cf. Spitzberg & Cupach, 2001, 2007). Only two variables revealed a statistically individual relevance for predicting maladjustment: the frequency of stalking behaviors and the strategy for avoiding the stalker. Victims who more frequently suffered stalking behaviors and those who did not avoid contacts with the perpetrator were more likely to develop clinically significant psychosocial maladjustment.

Bearing in mind that the sample was gathered in institutional contexts and that all the victims were being psychologically and socially supported, these conclusions allowed us to reinforce the idea that interventions with stalking victims must be based on a specific set of knowledges, skills, and expertise, resulting from the unique nature and idiosyncrasies of this type of victimization. Perhaps because of the fact that stalking was less acknowledged in Portuguese society and among support professionals, these types of cases were receiving treatment that did not fit well with the characteristics of stalking. Instead, practices imported from intervention protocols related to other types of violence, namely domestic violence, were employed.

The higher severity, frequency, and chronicity that typically characterize post-breakup stalking campaigns are certainly related to the fact that these type of stalkers benefit from a set of "privileges" when compared to other stalkers: they hold more detailed information on the victim's routine, they are more aware of his/her private life (e.g., concerns, vulnerabilities), and, almost always, take advantage of having more opportunities to get in contact with the victim, especially if they have children together. The escalation to higher severity acts of violence often seen in these situations may be enabled by the fact that many respect barriers toward the victim have already been broken during the previous relationship (Logan & Walker, 2009).

Despite the empirical evidence that illustrates the direct connection between violence during the relationship and post-breakup stalking, it is important not to ignore the experience of stalking victims without a

history of violence during the relationship. The research on this, though scarcer, suggests it is also severe, frequent, and chronic in character (Ferreira & Matos, 2013b).

Overall, the surveys conducted before the approval of specific anti-stalking legislation provided the necessary conditions to develop solid and locally relevant empirical knowledge. Simultaneously, they established the setting and motivation for a wider debate on the phenomenon, empirically justifying the legislative reforms that had been claimed by several social quadrants (Ferreira et al., 2017).

Currently, we are studying the prevalence and patterns of stalking among justice professionals (magistrates, judges, lawyers, police officers).

CRIMINAL STATISTICS

Pre-Criminalization and the Association with Domestic Violence

The results and conclusions from the previously mentioned empirical surveys attested to and documented an undeniable reality: despite being socially and legally "invisible," stalking was a real victimization experience in Portugal, similar to what had been reported in countries where the need for a legal intervention had been already acknowledged (e.g., Ferreira et al., 2017; Spitzberg & Cupach, 2007).

Not only an obstacle to the victims' protection, but also to the aggressors' liability, the absence of a legal framework also made it impossible to characterize and systematize the official statistics on this criminal reality, as these situations ended up being incorrectly legally "catalogued."

Regardless of this context and these pre-criminalization difficulties, some surveys and criminal statistics did seem to point out the realities of stalking victimization in Portugal. In particular, data related to domestic violence, a crime that has benefited from a public and more systematized registration in our country for a considerable period of time, provided important indicators of the extent of stalking.

A retrospective analysis of the murders related to intimate relationships, from 2009 to 2012 ($N = 19$), made it possible for Castanho (2013) to identify a jealousy-based behavior, an "obsession" with and/or control of the aggressor, as one of the most frequent risk factors leading to the victim's death. Moreover, a more detailed data analysis allowed an understanding of the existence of something that, at a minimum, we can label as "stalking indicators": in all the analyzed cases, the victim "separated from/moved away from the murderer recently, tried or

intended to do it (in the 6 months prior to the murder);" in 14 of the 19 situations, "the murderer tried to control each and every step of the victim, was excessively jealous and/or harassed the victim." Although this survey does not specifically mention stalking, it independently analyzed such harassment conduct, underlining the occurrence of three prototypical elements: the recurrence of the behavior pattern, the presence of threats, and the aggressor's intentionality. It was also concluded that such dynamics were materialized in four action behaviors engaged in by the aggressors: "hunting" behavior (waiting, monitoring), manipulation (e.g., threatening text messages, apologies), coercion (diminishing the victim's social life), and invasion of the victim's private space (entering the victim's house, place of work/study).

Therefore, a question emerges: How could Portuguese courts, when confronted with possible stalking situations/realities, have properly responded without having a legal provision related to an autonomous and particular penalty?

They could have consulted other criminal types that separately punished several conducts typically associated with the phenomenon, namely Threat (Art. 153), Coercion (Art. 154), Disturbance of private life (Art. 190), Violation of private life (Art. 192), Violation through cybercrimes or Violation of mailing or telecommunications (Art. 193 and Art. 194), Defamation or calumnies (Art. 180 and Art. 181), Illicit recordings and photographs (Art. 199), Offenses to physical integrity (Art. 143), Sexual coercion, Abuse or sexual harassment and rape (Art. 163, Art. 165, Art. 170, and Art. 164), Domestic violence (Art. 152, when stalker and victim have had some kind of intimate relationship) and, ultimately, Murder (Art. 131).

However, an effective answer to the previous question brings two important considerations into the light. On the one hand, the possibility of a "detached" criminalization of the behaviors would leave aside the punishment of several other typical stalking conducts which, when considered individually, might prove to be mere daily actions, without criminal framing (e.g., Ferreira et al., 2017). On the other hand, empirical data suggested a narrow understanding of the magistrates regarding such victimization phenomenon before its legal typification. Specifically, Marchesini (2015) concluded that court decisions did not identify other stalking possibilities and/or scenarios other than the relational one.

Despite the frequency, severity, and chronicity of this sub-scenario (cf. Logan & Walker, 2009), the literature and empirical evidence unanimously agree on the wide and heterogenous nature of stalking, underlining the need to take into account and efficiently provide recommendations concerning its different settings or "sub-phenomena," each having its

own particularities and idiosyncrasies (e.g., Mullen et al., 1999; Pathé et al., 2001).

This being so, an effective answer to the problem must include a fair and equalitarian treatment of all its victims, which seemed not to be happening in Portugal during the pre-criminalization period. Diminishing the stalking phenomenon to the epiphenomenon of relational and/or post-breakup stalking is a clear and unjustifiable regression from the scientific progress in this area. At its limit, it could be as constricting as diminishing it to the *star stalking* epiphenomenon, particularly in the early 1990s (Lowney & Best, 1995).

In addition, the percentage discrepancy between data from empirical surveys and criminal statistics suggests that not all post-breakup stalking victims have received adjusted formal support (perhaps not even the majority of them). Bearing in mind the available statistics, we believe it is justifiable to state that the legal treatment of post-breakup stalking seems to be likely only in more severe cases and those with a history of violence during the relationship, which was another discriminatory element. Despite an awareness of the additional risks seen in ex-intimate stalking cases where violence occurred when the relationship was intact, it is also important to address the experience of post-breakup stalking victims without previous violence in the relationship. This is because the research on such cases (though scarcer) equally suggests its severe, frequent, and chronic nature (Ferreira & Matos, 2013b).

Post-Criminalization

The transposition of what was described in the 34th Article from the Istanbul Convention to the Portuguese juridical system favored the autonomous criminalization of stalking conduct (August 2015), under the term "Harassment" (Art. 154.A). This was due to the fact that the word "stalking" does not have a linear conceptual translation in the Portuguese language. Even though it may seem reductive regarding the conducts which characterize the phenomenon, the legal text is more comprehensive and covers the behavioral pattern: a repeated act of "persecuting or harassing a person, by any means, directly or indirectly, in a way to cause fear or anxiety or harming his/her freedom of determination." The crime carries a prison sentence of three years maximum or a fine, and it is also possible to administer ancillary penalties, namely a prohibition to contact the victim and the obligation to attend specific prevention programs.

From August 2015 (when the amendment to the Penal Code came into force and included this crime) to July 2017, the Portuguese Public Prosecutor's Office investigated 922 cases related to the Harassment

crime: 76 in 2015 (from August to December), 473 in 2016, and 373 in 2017 (from January to July) (Portuguese Bar Association, 2017). Although the reduced time period does not allow the drawing of permanent conclusions, there has been a progressive increase in the number of complaints: on average, 15.2 monthly complaints during the 2015 time frame, 39.4 monthly reports in 2016, and 53.3 monthly complaints during the first half of 2017.

The available criminal data on this new type of offense (Portuguese Bar Association, 2017) also suggest a gradual increase in the number of formulated charges: 2 in 2015 (2.63% of the judicial inquiries), 23 in 2016 (4.86% of the judicial investigations), and 23 in 2017 (6.16% of the judicial inquiries). At the present moment, court decisions regarding these cases are still unknown.

Similar to what happened in other countries, creating a legal typification of stalking and its autonomous criminalization fulfilled several aims and assumed distinct purposes beyond the mere penal accountability of the offender. On the one hand, it makes it possible to more validly protect the victim's rights and more efficiently assure such protection. On the other, it is expected that it can have a social effect, promoting a wider awareness of the problem and becoming a deterrent to such conduct.

Despite it being unquestionable that this legal evolution is important, we cannot fall into the temptation of considering that the fight against stalking has finished. It is now relevant to reformulate procedures, so to ensure that legal activity is materialized in efficient practices regarding the victims, stalkers, professionals who establish direct contact with this population, and society in general, aiming to promote a wider awareness of stalking as a type of violence (cf. Ferreira et al., 2017).

DIFFICULTIES AND POST-CRIMINALIZATION CHALLENGES

While a product and representation of society, violence is a dynamic and complex concept, related to the violation of standards and socially settled values in a particular historical moment and specific context. In turn, the concept of crime is associated with the actions that the law objectively labels as such (e.g., Lisboa, Barroso, Patrício, & Leandro, 2009). These concepts must not be mistaken, as they may or may not correspond.

The approach to the stalking in Portugal is a paradigmatic example of that reality. As presented throughout this chapter, the phenomenon was initially acknowledged and studied as being a particular type of

interpersonal violence and only recently has been a target of legal intervention, following its criminal typification. Nevertheless, and not disregarding the relevance of this legal evolution, we consider premature any assumption that there is a general social awareness concerning the seriousness of this type of violence.

Because it involves apparently benign, and even socially acceptable, motivations, stalking may benefit from a higher social tolerance and legitimization, grounded in the cultural narratives of love and passion (Cupach & Spitzberg, 2004; Kamir, 2001). Regardless of the will of the target-person, persisting in (re)conquering an intimate relationship is often seen as a romantic action and, quite commonly, heroic. Such social representations and narratives may influence the perception of social actors regarding the (violent) behaviors and, consequently, their juridical character. More specifically, we are taking into account the potential effect of these social representations on: (a) the victims, who may experience more obstacles in assuming themselves as such and, consequently, show greater difficulty and/or doubts in seeking the necessary support; (b) the social support sources, who may underestimate or, at least, diminish the impact that the conduct has on the target-person, leading to obvious consequences in the availability and efficiency of the support granted; and (c) the law enforcers, who may have particular difficulties in effectively putting the law into practice. Even though there is a wider awareness and effort to fight this type of violence, we cannot put aside the thought that, in some circumstances, the judicial discourse may stay faithful to particular social patterns, widely rooted in the social contexts to which the law enforcers belong. This difficulty may be particularly relevant in the Portuguese context, due to the novelty of this "new crime."

Moreover, the legal intervention into stalking situations can be even more hampered by some of its prototypical dynamics. We particularly highlight the fact that this is not a crime of immediate consummation (but instead is characterized by its perpetuation in time) and it may not involve explicitly violent behaviors (e.g., sending gifts, being present in places the victim usually goes to). Although the Portuguese legislator has not made the legal typification of this crime dependent on the experience of *fear or anxiety,* it is relevant to prove the impact of the conduct on the *victim's self-determination freedom,* the understanding of which may rely on the magistrate's subjectivity. Simultaneously, it will always be necessary to prove the alleged facts and, regarding stalking, this can be particularly difficult if we consider that many of them may not conform to juridical requirements (e.g., absence of concrete evidence, difficulty in gathering and/or locating witnesses).

Another aspect deserving analysis and consideration is the common conceptualization of stalking as a type of gender violence. The "true" designation that boosted the criminalization of such conduct in our country (Council of Europe, 2011) is a paradigmatic example of this more or less widespread idea seen within some literature on the phenomenon (e.g., Kamir, 2001). Despite recognizing that the majority of the victims are female and the majority of the stalkers are male (e.g., Matos et al., 2011; Tjaden & Thoennes, 1998), we consider it important to not ignore the experience of male victims. Similarly to what happened with domestic violence (e.g., Machado & Matos, 2014), a feminization of the stalking phenomenon may enable reductive understandings and practices, which are not consistent with its complex and multifaceted nature.

Finally, it is important to maintain academic and scientific attention on the crime and, among other empirical aims, prioritize the assessment of practice engaged in by those professionals who, within their area of expertise, intervene in the phenomenon: support technicians (working with the victims or with the stalkers), police officers, and magistrates.

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11

Stalking in South Africa

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INTRODUCTION

Stalking is a worldwide phenomenon with publications relating to Australia, the USA and the United Kingdom (Sheridan & Scott, 2015), Belgium and the Netherlands (van der Aa & Groenen, 2011), China (Chan & Sheridan, 2017), Germany (Hoffman, Meloy, Guldimann, & Ermer, 2011), India (Netto, 2012), New Zealand (Hughes, Thom, & Dixon, 2007), Switzerland (Guldimann, Stieglitz, Meloy, Habermeyer, & Ermer, 2015), and Sweden and Australia (Strand & McEwan, 2011) as evidence thereof. However, an EBSCOHost search revealed only two results relating to South Africa, one for cyberstalking (Sissing & Prinsloo, 2013), and another in relation to intimate partner violence and stalking (Petzer & Pengpid, 2014). This indicates a lack of research into this topic in the South African context, but does not indicate a lack of stalking behavior.

Stalking is a behavior that affects romantic partners (Kropp & Cook, 2014), acquaintances and strangers (Churcher & Nesca, 2013), judicial officials (Eke, Melow, Brooks, Jean, & Hilton, 2014), law enforcement officers (Guldimann et al., 2015), public office holders (Meloy, 2014) and their staff (Lowry et al., 2015), mental health workers (Carr, Goranson, & Drummond, 2014; Storey, Hart, & Lim, 2017), corporate executives

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(Beddo, Lanum, & Kawamoto, 2017), journalists (Gass, Martini, Witthöft, Bailer, & Dressing, 2009), and innocent persons in the case of false reports (Petherick & Jenkins, 2014).

South Africa is no different in this respect, and like many other countries South Africa is struggling to find an effective criminal justice response to stalking. The only regular training for law enforcement officials in the South African Police Service (SAPS) that pertains to stalking specifically is on the "Psychologically Motivated Crimes Course" presented by the Investigative Psychology Section in the Forensic Services Division of the SAPS. However, this particular course is only typically presented once a year to 30 SAPS members. The SAPS, which is a single, national police service, has over 190,000 employees. Similarly, there are currently no criminal laws that specifically mention the word "stalking." Stalking is, however, referred to in the Domestic Violence Act (116 of 1998), but no crime is created. However, while there is no crime called "stalking" in statute or common law, invariably the actions of the offender, in the process of stalking, contravene one of a variety of existing statutory or common laws. The South African Law Reform Commission (SALRC) in its 2006 report recommended that no crime named "stalking" needed to be created, and that existing offenses are adequate to deal with stalking *behavior*. It recommended that governmental departments develop practical mechanisms to use existing common law crimes in cases of stalking behavior, including public awareness and practical measures by the Justice Department and the SAPS, to ensure effective intervention through training and development of guidelines for prosecutors and SAPS. However, this seems not to have been followed through by those departments by 2018. Current legal options include High Court Interdicts, Protection Orders, and delictual claims, on the one hand, and criminal charges in respect of *crimen injuria*, assault, malicious injury to property, intimidation, defamation, and crimes in respect of the Sexual Offences Act on the other (Snyman, 2007).

STALKING IN A MULTICULTURAL SOCIETY

It is inevitable in a multicultural society that there will be a clash between laws and culture or religion. Cultural challenges are noted in risk assessments (Hart, 2016) and psychometric assessments (Laher & Cockroft, 2013). At the same time, it is acknowledged that the majority of stalking victims are female and, in many societies, there is a patriarchal dominance that exacerbates the stalking problem. In some

African cultures, courting practices include behavior that could be defined in a Western setting as stalking. For example, it is expected that the recipient of the male's attention will rebuff him, and that the rebuff will cause him to intensify his efforts (SALRC, 2006).

In the Constitution of the Republic of South Africa (1996), the Bill of Rights includes the freedom of religion, belief, and opinion (section 15); language and culture (section 30); and freedom of cultural, religious, and linguistic communities (section 31). Even traditional leaders' position and customary law are recognized, subject to the Constitution (sections 211–212).

Up until now, South African criminal courts have been unwilling to accept arguments concerning indigenous beliefs and customs serving as a defense for the commission of a crime. They have been more willing to accept evidence of an accused's indigenous belief or custom as a mitigating factor during sentencing (Matthee, 2014), but not always. In the Criminal Law Amendment Act 105 of 1997, the so-called minimum sentences Act, in respect of sentencing for rape cases, specifically mentions that an offender's cultural or religious beliefs about rape would not constitute a substantial and compelling circumstance warranting the court to deviate from the minimum sentence. This sentiment was echoed in the sentencing of self-confessed *muti*-murderer in *State vs. Mogoramedi*. *Muti*-murder is the killing of another person with the intention of obtaining human body parts for use in a traditional African potion (Labuschagne, 2012). Mogoramedi, who murdered his sister and then removed her genitals, appealed his life sentence in part stating that the killing was not committed for financial gain but as a result of his deep-rooted religious beliefs which required him to commit the act as part of his initiation to become a *Sangoma* (traditional healer). In the appeal, the Judge in this case rejected this position, citing the so-called minimum sentences Act mentioned above in respect of rape cases, and the deceased's constitutional right to life. The appeal was dismissed and the life sentence upheld. These examples illustrate that the tension between culture, or religion, and Western law are ever present.

Petzer and Pengpid (2014) looked at stalking victimization in the context of intimate partner violence in a sample of women who had received a protection order, in a District of Limpopo Province in South Africa. From the total sample of this study, 58.2% reported stalking victimization. With regards to the types of stalking behaviors engaged in, the most frequent were the making of unwanted phone calls, spying, and attempting to communicate with the victim in other ways, against their wishes. Of the sample, 34.3% reported that they had received threatening messages telephonically. The findings of this research have similarities with those from international studies with regards to the

presence of stalking in violent intimate partner relationships, as well as how this is perpetrated. This involved the report of pursuit-orientated behavior, such as being followed or watched and receiving unwanted communications. Also, in correlation with international studies of this focus, are reports of the presence of mental health difficulties among victims, namely depression and post-traumatic stress disorder.

LEGAL ASPECTS IN SOUTH AFRICA

Criminal Law Response

While as yet there are no specific stalking laws in South Africa, and there is no crime specifically called "stalking," this does not mean that the behaviors that constitute stalking are not criminal in nature under existing South African law. Currently, many of the behaviors that constitute stalking can be found under the following:

- Intimidation Act (72 of 1982)
- Domestic Violence Act (116 of 1998)
- Sexual Offences Act (32 of 2007)
- Common Law
- Film and Publications Act (65 of 1996) [in respect of the distribution of pornography]
- Protection from Harassment Act (17 of 2011)
- Trespass Act (6 of 1959)
- Electronic Communications and Transactions Act (25 of 2002)
- Interception and Monitoring Prohibition Act (127 of 1992).

Electronic communications and transactions act

Chapter 8 of this Act refers specifically to cybercrime. Section 86 is perhaps the one most relevant to stalking behavior, as it relates to unauthorized access to, interception of, or interference with data. Subsection 86(1) makes it an offense for a person to intentionally access or intercept any data without authority or permission to do so. An example of this would be someone accessing the victim's Facebook page or Gmail account without consent.

Subsection 86(2) states further that any person who intentionally, and without authority to do so, interferes with data in any way that causes it to be modified, destroyed, or rendered ineffective is also guilty of an offense. An example of this would be if the abovementioned person deleted pictures from someone's Facebook account or deleted emails in the victim's Gmail account.

Subsection 86(5) states that any person who commits an act described in this section with the intent to interfere with access to an information system so as to constitute a denial, including a partial denial, of service to legitimate users is guilty of an offense. An example of this would be flooding the victim's inbox with emails so that the victim could not use their Gmail account.

Civil Remedies for Persons Being Stalked

SALRC

In an attempt to try and improve this situation, which up until this point only provided relief to those being "harassed" by current or former domestic partners, the SALRC initiated an enquiry to try and advise law makers what the best way forward would be. The Commission's investigation specifically aimed to define stalking in the South African context and identify appropriate legal remedies to prevent or reduce harm brought about by stalking, for those persons outside of the domestic relationship.

The Commission considered four possible avenues: expand the existing Domestic Violence Act to include non-domestic stalking, enact similar legislation to the Domestic Violence Act, amend and adapt the Criminal Procedure Act which provides for peace orders, or enact new legislation criminalizing stalking. The commission found that although existing criminal law covers some stalking behaviors, it does not address stalking as an independent phenomenon where "… the whole is worse than the sum of the parts of any individual act" and that stalking behavior is often a series or discrete and seemingly unrelated acts which may or may not be illegal in and of themselves (SALRC, 2006, p. 6).

Domestic violence act

Prior to the SALRC investigation, stalking was only referred to in the Domestic Violence Act, which is a civil law Act. The Domestic Violence Act was intended to provide for the issuing of protection orders in respect of domestic violence. Those who are, or were, in a domestic relationship with the offending person could apply for a protection order under this Act. A *domestic relationship* included people who: were married (under any law, custom or religion); lived together in a relationship "in the nature of marriage" even if not married (including same sex relationships); were parents of a child or have parental responsibility for the child; are family members by consanguinity, affinity, or adoption; are or were engaged, dating, or in a customary relationship, including actual or perceived romantic, intimate, or sexual relationship of any duration; or share the same residence.

The Act also defines *domestic violence* as physical, sexual, emotional, verbal, psychological, economic abuse; intimidation, harassment, and stalking; damaging of property, entry into the complainant's residence, or any other controlling or abusive behavior toward the complainant. It goes on to separately define harassment, intimidation, and stalking.

In this Act, *harassment* is defined as engaging in a pattern of behavior that induces fear or harm in the other person. This includes repeatedly watching, loitering outside or near a building or place where the complainant resides, works, carries on business, studies, or happens to be. Furthermore, it includes repeatedly making telephone calls or inducing another person to make such calls to the complainant, whether or not conversation ensues. Finally, harassment includes repeatedly sending, delivering, or causing the delivery of letters, telegrams, packages, facsimiles, electronic mail, or other objects to the complainant. The emphasis in the above is a "pattern of behaviour." *Stalking* in this Act is defined as repeatedly following, pursuing, or accosting the complainant. This does not seem to require the stalking to induce fear or harm. Whereas *intimidation* is defined merely as the uttering or conveying of a threat, or causing a complainant to receive a threat, which induces fear. Intimidation therefore does not require a pattern of behavior nor repetition.

The remedy the Domestic Violence Act proposes is a *protection order* for which any person in a domestic relationship (or one that ended) can apply. In limited circumstances the application can be made by someone other than the complainant, who has a material interest in the wellbeing of the complainant. A minor can also apply on their own behalf, without the assistance of a parent, guardian, or other person.

The application and affidavit(s) are then lodged with the clerk of the court, who submits them to the court. If the court is satisfied that there is prima facie evidence that the respondent (i.e., the offender) is committing or has committed an act of domestic violence and undue hardship may be suffered by the applicant as a result of such domestic violence if a protection order is not issued immediately, the court must issue an interim protection order against the respondent. The interim protection order is then served on the respondent with a return date when the respondent has the opportunity to argue why the final protection order should not be issued. The interim protection order only becomes enforced once it has been served on the respondent. Once served, a certified copy of the interim protection order and the original warrant of arrest must be served on the applicant. Should the respondent not appear in court on the return date, the court must issue a final protection order. A copy of the final protection order and warrant

of arrest must be forwarded to the police station of the applicant's choice. Such a protection order remains in force until it is set aside, and an appeal application by the respondent does not suspend the protection order.

The protection order can *prohibit* the respondent from committing any act of domestic violence; enlisting the help of another to help commit an act of domestic violence; entering a shared residence or part thereof; entering the applicant's residence or place of employment; or committing any other act as specified in the protection order. Additional conditions may be imposed by the court that it feels are necessary to protect and provide for the safety, health, or wellbeing of the applicant, including seizing any arm or dangerous weapon, or ordering a peace officer to accompany the applicant to a specific place to collect personal property—for example from the shared residence. The order can also include obligations as to rent or mortgage payments, taking into account the financial needs and resources of both parties, and this can also include emergency monetary relief. In respect of children, the court can also refuse the respondent contact with a child or impose any conditions it deems fit, if they are in the best interests of the child.

Should the respondent *contravene* the conditions of the protection order, the complainant can hand the previously issued warrant of arrest, with a new affidavit outlining how the conditions of the protection order were transgressed, to any member of the SAPS. Should the SAPS member have reasonable grounds to suspect that the complainant may suffer imminent harm due to the breach, the member must arrest the respondent. If there are insufficient grounds for arrest, the member must hand a written notice to the responded calling upon him to appear in court on a specified date and time. The complainant can also simultaneously lay a criminal charge for the new behavior.

Any court within the area in which the complainant or respondent permanently or temporarily resides, carries on business, or is employed; or area in which the cause of action arose, will have *jurisdiction*. The protection order is enforceable throughout the republic of South Africa. The Act creates an offense for transgressing a protection order prohibition, condition, obligation, or order for which the punishment is a fine, or a period of imprisonment not exceeding five years, or both.

While fairly straightforward and free to obtain, and having wide-ranging effects, the protection order under the Domestic Violence Act was not applicable where the parties involved fell outside of the definition of a domestic relationship.

The Protection from Harassment Act

The final outcome of the SALRC report was the Protection from Harassment Act, 17 of 2011, which came into effect in April 2013. The reason for this Act was because the existing civil law framework, namely an *interdict*, and criminal law framework, namely the punishing of stalking conduct as a *crime* or the prohibition thereof by means of a *binding* over of a person to keep the peace in terms of section 384 of the Criminal Procedure Act, may not provide adequate recourse to victims of stalking who are not in a domestic relationship. The Act primarily aims to address this type of behavior by means of an order of court, in terms of which the harasser is prohibited from continuing with the harassing conduct, a contravention of which is punishable as a crime (contempt of court) and can lead to arrest.

In many respects this protection order mirrors the protection order process and powers of the order issued in terms of the Domestic Violence Act discussed above. However, its definition of harassment differs from the definition in the Domestic Violence Act, and is in many respects more comprehensive. There is no definition for stalking or intimidation in the Act, but it does have a sexual harassment definition. One of the biggest differences, perhaps logically so, is that while a domestic violence victim, per definition, would know the identity of their stalker, some victims of stalking may not; hence, the Protection from Harassment Act includes sections that allow the applicant to request assistance from the SAPS and service providers, such as cellphone companies and internet service providers, for information to identify who is engaging in the stalking behavior. Below is a brief outline of the Protection from Harassment Act.

Harassment is defined as directly or indirectly engaging in conduct that the respondent (i.e., stalker) knows or ought to know causes harm or inspires reasonable belief that harm may be caused to the complainant, or related person, by unreasonably:

- Following, watching, pursuing, or accosting the complainant or a related person, or loitering outside or near where the complainant or a related person resides, works, carries on business, studies, or happens to be.
- Engaging in verbal, electronic, or any other communications aimed at the complainant or related person, by any means, whether or not conversation ensues.
- Sending, delivering, or causing the delivery of letters, telegrams, packages, facsimiles, electronic mail, or other objects to the complainant or related person or leaving them where they will be found by, given to, or brought to the attention of, the complainant or related person

It also includes directly or indirectly engaging in conduct that the respondent knows or ought to have known amounts to sexual harassment of the complainant or related person.

As can be seen by the above definition, compared to the Domestic Violence Act, it explicitly includes what are often referred to as "secondary victims," which tend to be family, friends, co-workers, and new romantic interests who are targeted because of their proximity to the main victim, and the impact that this has on the main victim (Pathé & Mullen, 2002). While the Domestic Violence Act only refers to repeated phone calls in terms of communication, the Protection from Harassment Act speaks of electronic or any other forms of communications, a wording that is more appropriate for the cyber age. Finally, the Domestic Violence Act requires a "pattern of conduct" to be evident, the Protection from Harassment Act merely requires the offender to engage in conduct directly or indirectly. Hence the repetitive requirement so often seen in stalking definitions (see Kropp, Hart, & Lyon, 2008) is not specifically required for harassment in terms of this Act. However, for the most part the definition of harassment used here overlaps with common definitions of stalking as being "unwanted and repeated communication, contact, or other conduct that deliberately or recklessly causes people to experience reasonable fear for their safety or the safety of others known to them" (Kropp et al., 2008). What is conspicuous in its absence is any reference in the above harassment definition to injury to property or person.

Like the Domestic Violence Act, the Protection from Harassment Act does not prevent a person from applying for relief in terms of the Domestic Violence Act. Most of the steps and processes in terms of the application are the same as for the protection order in respect of the Domestic Violence Act. There must be prima facie evidence of harassment and the risk of immediate harm should the protection order not be granted. Similarly, copies of any interim or final protection order and warrant of arrest are provided to the applicant and to the police station of choice of the applicant. As briefly mentioned above, unlike in domestic violence cases, stalking or harassment may be perpetrated by an unidentified person. This is where this act gives particular support to the victim, in assisting identifying who the stalker is.

Section 4 relates to electronic service providers furnishing information to the court. The provider may be requested to furnish the electronic communications identity number from whence the harassing electronic communications originated. Furthermore, the name, surname, identity number, and address of the person assigned to the electronic communications identity number. Additionally, any information which indicates that the electronic communications were sent from the electronic

communications identity number linked to the "offender," and any other information available to the service provider that can be of assistance to the court to identify the sender of the harassing messages. Such information must be provided within five days. Once this information is received, the court must consider the issuing of an interim protection order. Besides the above, the court can instruct the SAPS to investigate the matter for the purpose of identifying the sender's name, address, or any other information that may assist the court in identifying or tracing the respondent.

In terms of the issuing of a final protection order, a balance-of-probabilities is used to determine if harassment has taken place, unlike the beyond-a-reasonable-doubt requirement in a criminal case. On issuing of the final protection order, the respondent is served with the original order, and a certified copy of the order and the original of the arrest warrant must be served on the complainant. Copies thereof are sent to the police station of the complainant's choice.

While the Domestic Violence Act protection order remains in effect until it is set aside, a Protection from Harassment Act protection order remains in effect for a period of five years or such period as the court may determine on good cause shown, unless it is set aside. An appeal does not automatically suspend the protection order. In terms of the powers of the court in respect of the order, they are essentially the same as for the Domestic Violence Act except for specific provisions in the Domestic Violence Act pertaining to financial assistance to the respondent and orders pertaining to access to children which would only be relevant to a domestic relationship. The Protection from Harassment Act protection order also has a "catch all" section that the court may impose "any additional considerations on the respondent which it deems reasonably necessary to protect and provide for the safety and well-being of the complainant or related person." The jurisdiction of the court to issue a protection order are the same as in the Domestic Violence Act. Punishment for contravening any prohibition, condition, obligation, or order imposed upon conviction are a fine or imprisonment for a period not exceeding five years (but not both as is the case in the Domestic Violence Act).

CASE EXAMPLE: *STATE VS. WALABH*

This was an example of workplace stalking (White, 2014) that seemed to have an element of romantic jealousy. What was uncommon was the fact that the offender was female, and the victims were an engaged

couple. The main method of committing the stalking behavior was electronic in the form of cyberstalking (Burgess & Baker, 2002; Sissing & Prinsloo, 2013), which is the use of technology to stalk the victim. While cyberstalking can be the only method of committing the stalking of a victim, it often takes place within a broader pattern of stalking behaviors (Scalora, 2014; Sheridan & Grant, 2007). It is also well known that the majority of stalkers use multiple methods to communicate or harass their victims (Mohandie, Meloy, Green-McGowan, & Williams, 2006). What was unique was the reliance of the prosecutor on Acts relating to the interception of communications and electronic communications as mentioned below.

The accused in this case was a candidate attorney at a successful legal firm in Cape Town. She was eventually charged with 37 crimes including fraud, contravening the Regulation of Interception of Communications and Provision of Communication Related Information Act, contravening the Electronic Communications and Transactions Act, *Crimen Injuria*, assault, and intimidation. These crimes were committed mostly in her place of employment and directed toward a senior partner of the law firm and his fiancé.

The accused pleaded not guilty to the charges at the start of the trial, claiming that she was set-up at work in order for her services to be terminated. She claimed that the victim frustrated her in that he did not allocate court opportunities to her, and that he emotionally and sexually abused her. She claimed other staff must have accessed her computer and BlackBerry to engage in the stalking behaviors described below. She claimed the investigating officer had also tampered with evidence and was not impartial. In total, five witnesses and documentary evidence were submitted by the prosecution. Much of the evidence related to cell phone and computer linkages between the communications and the accused, which proved that the accused's work computer, a cell phone registered in her father's name, and another phone in use by her, were used to engage in much of the described actions.

Her stalking behaviors included creating fake Facebook profiles for the victim and his fiancé. She advertised the victim couple as offering sexual services on the internet, to which people responded. Using these fake profiles, she tried to friend some of the victims' friends. She blocked access to the victims' banking services while they were on honeymoon. Money transfers were made to charity organizations from the victims' accounts. She made silent phone calls to both victims. She overloaded their Outlook inboxes and subscribed them to numerous magazines which were delivered to the residences of the victims, their families, and friends. She subscribed them to various email newsletters. Emails

were sent to the family of the fiancé aimed at creating problems in their relationship. Information from the victim's portable hard-drive was removed. These types of stalking behaviors have been described by researchers (Baum, Catalano, Rand, & Rose, 2009; Burgess & Baker, 2002; Spitzberg, 2002; Spitzberg & Cupach, 2007).

Ultimately the court found that none of the allegations the accused made regarding the victim, for example the sexual assault allegation, were reasonably or possibly true and were fabricated by the accused in order to exonerate herself or an attempt to create mitigating circumstances for her behavior. The court additionally found that the accused was "fixated" and "obsessed" with the male victim (judgment, p. 40).

At sentencing, a police clinical psychologist, Lieutenant Colonel Hayden Knibbs, testified that the accused did not display congruent remorse. Even though the accused stated that she was sorry and regretted what she did, and that she took responsibility for her actions, she did not show an empathic understanding for those affected by her crime but rather shifted the blame and painted herself as the victim. The accused displayed cognitive distortions in the form of blaming and minimizing. During the clinical interview, the accused displayed manipulative and deceptive elements in her interaction with the psychologist. These elements included incongruence, excessive attempts to paint herself as the victim, shifting of blame, and denying elements of her behavior. According to the judgment of the trial court, the self-report of the accused, and her parents' report, the accused was obsessed with the male victim.

Walabh was ultimately sentenced to three years correctional supervision.

CASE EXAMPLE: INTIMATE PARTNER STALKER

The following is an example of intimate partner stalking of an art student. Over the period of a year, the offender engaged in various behaviors against the victim. These included damaging some of her artworks on different occasions at exhibitions, damaging the inside of her vehicle, damaging her cell phone, and assaulting her in her office and on another occasion where he lured her to a venue under false pretenses of being a journalist. Other assaults occurred on other occasions. He damaged her garden after she refused to allow him inside her house. He hacked into her accounts and deleted her emails and gained access to her sister's Facebook account. He made

accusations to the university that she did not write her dissertation herself. He phoned and threatened her mother and brother and attacked the character of the victim. He threatened her in phone calls and via text messages. He slashed her tires after he was handed a copy of a protection order she had taken out against him. He removed advertisements for her art exhibition and hacked into her Facebook "fan-page" and deleted all posts from it, and he canceled her work appointments. He engaged in spurious legal actions against her, demanding return of items and money he claimed she owed him. He hacked into her bank accounts and donated money to various organizations under her name. He threatened a friend of hers who accompanied her when she appeared in court to finalize the protection order. After the protection order was taken out, he stepped up the anonymous texts, instant messages, and emails in an attempt to contact her pretending to be someone else. He also posted YouTube videos of her doing traditional dancing.

As mentioned above, stalkers often engage in a wide range of stalking behavior, as evidenced in this case study. As is often noted internationally, intimate partner stalkers tend to be those most inclined toward violence against their victims. Similarly, it is widely recognized that protection orders often don't stop the behavior of such individuals. One of the initial problems experienced is the fact that these cases are opened at various police stations, and most often involved crimes that are not taken very seriously by the police (such as malicious injury to property), or the police are lackluster in investigating the crimes due to a lack of conclusive proof of the identity of the offender. This leads to heightened frustration and feelings of helplessness by the victim. This situation is common in situations where law enforcement lacks training in the understanding of stalking behavior, and as a result cases from different police station areas are not consolidated under one investigation. It was only after the intervention of the first author that instructions were issued by the local Director of Public Prosecutions that these cases be consolidated to one detective with domestic violence expertise and progress was made. Sadly, what helped the victim was the one assault case that was opened against the offender, as this increased the "seriousness" of the situation, and the police seem better equipped to understand, investigate, and prosecute assault cases. A high court prosecutor was also assigned to prosecute this case in the magistrates' court and the accused was eventually convicted but received a suspended sentence. The stalking behaviors did, however, stop once the cases were consolidated to a single detective.

CASE EXAMPLE: WORKPLACE STALKING IN THE MENTAL HEALTH CARE ENVIRONMENT

The following is a case example of stalking that originated within the mental health care environment. The victim was a female psychologist employed at a government psychiatric facility at the time she met the patient. During her employment, she was tasked with engaging in psychotherapy with individuals who were recovering from serious mental illnesses, such as delusional and psychotic disorders.

Upon termination of one of her client's therapy and following his discharge from the hospital, he started engaging in stalking behavior. Once discharged from the hospital he began, despite her instructions not to do so, sending her emails and attempting to see her on hospital grounds, without having an appointment or reason to do so. Following the intervention of a senior member of staff to desist from this behavior, the patient discontinued his attempts at physical contact with the psychologist.

However, over the next six years, even after she had left the employment of the hospital and entered into private practice, the patient continued to send the psychologist emails. She changed her email address a number of times, but as a result of social media, and the advertising of her psychology practice, the patient continued to find additional new email addresses for her. She did not reply to any of his emails and began to auto archive them without reading them, shortly after her resignation from the hospital at which she had been working at the time that they had met.

However, during 2017, the patient began to contact her by WhatsApp message, in addition to his continued emails. This prompted the psychologist to review the auto-archived emails that the patient had sent her over the last six years. To her alarm, there were hundreds of emails that had been sent with increasing frequency.

Upon review of the emails and the WhatsApp messages, it was clear from the content that the patient had become fixated on the psychologist and believed that they were going to be in a romantic relationship. His review of her social media accounts showed that he was aware that the psychologist had given birth to a child and was in a relationship. The patient, however, believed that she was unmarried (incorrectly so) and that the father of her child had abandoned her and that he would fill the space and assist her in the raising of her child and with her wellbeing. He also believed incorrectly that the psychologist herself had been sent to a psychiatric facility.

The emails became increasingly agitated and frustrated in content, particularly toward the psychologist herself, and toward her child,

which was of serious concern. Upon further investigation, it became evident that the patient sent numerous emails to other identified individuals whom he had come into contact with, such as other mental health professionals and lecturers. However, none of the content appeared as fixated and with a sexual overtone as that sent to the psychologist.

Enquiries from law enforcement in South Africa, as well as treating mental health practitioners, resulted in the cessation of the emails prior to the finalization of the criminal investigation, and no prosecution took place. Internationally, the stalking of mental health practitioners by patients is well documented (Maclean et al., 2013; McIvor, Potter, & Davies, 2008); however, no published research in South Africa has been conducted.

CONCLUSION

South Africa experiences stalking just like any other country, and like many countries, its current laws and policing system are inadequate when it comes to effectively dealing with stalking cases. There are many challenges, some relating to the multicultural nature of South African society, and others relating to legislation and to policing, coupled with limited research to contextualize the issue.

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Part III

Policy and Best Practice

12

The Dutch Model: A New Approach to Policing Stalking

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THE CHALLENGES OF DEFINING STALKING FROM A DUTCH PERSPECTIVE

Stalking laws were first introduced in English-speaking jurisdictions in the early 1990s, and spread to non-English speaking jurisdictions in Europe and other parts of the world over the subsequent two decades (Van der Aa, 2010). In the early years, anti-stalking laws were often introduced after a high-profile murder known to be preceded by stalking (Mullen, Pathé, & Purcell, 2000). These laws conceptualized stalking as a precursor to serious violence, intending that by outlawing harassment that did not constitute another criminal offense, the laws would equip police with a tool to prevent escalation to assault or even homicide. Anti-stalking laws of more recent years have been more clearly intended to provide a way of responding to and preventing the psychological harms associated with persistent and unwanted intrusions (McEwan, Mullen, & Mackenzie, 2007). However, despite the laudable intentions of legislators in outlawing patterns of unwanted intrusion that cause distress and fear, numerous authors have observed that stalking laws do not seem to have effectively solved the problem of stalking (Taylor-Dunn, Bowen, & Gilchrist, 2017). Reporting stalking behavior to the police does not seem to have the

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desired effect of stopping stalking (Brady & Nobles, 2017; Pearce & Easteal, 1999). In this chapter, we discuss possible reasons for this impasse, paying particular attention to the key role played by the police as gatekeepers of the criminal justice system. Drawing on both the relatively limited research literature on the policing of stalking, and our own experiences within the Netherlands National Police, we discuss some potential reasons why police responses are so often inadequate. We then introduce and describe a new system and process adopted by the Netherlands National Police to try to overcome deficiencies and improve the organization's response to reports of stalking.

Stalking can be defined from both a legal and a behavioral perspective. Behavioral definitions serve to facilitate scientific research and increase our (clinical and academic) knowledge of stalking (Meloy, 1998). Legal definitions describe criminal behaviors and enable us to prosecute offenders. Behaviorally, stalking can be described as a pattern of targeted, repeated, and unwanted intrusive acts that can be reasonably expected to cause apprehension, distress, or fear in the victim (Mullen et al., 2009). Legally, the definition of stalking varies depending on the jurisdiction a person is in (Van der Aa, 2017). In the Netherlands, stalking has been considered a crime since 2000 and is defined as: "unlawfully, repeatedly, intentionally intruding upon another person's privacy with the aim of forcing that person to do something, to refrain from doing something, to tolerate something or to instil fear in that person" (Article 285b of the Dutch Penal Code). This definition is broadly consistent with most others that have been adopted in industrialized democracies (McEwan, Mullen, & Mackenzie, 2007), with the key elements of the crime being proven by the core elements of being intentional, repeated, and causing some level of distress or fear in the target.

In practice in the Netherlands, the sticking point in this definition is the word "repeatedly," because what constitutes "repeatedly" is not defined, and police and prosecutors use varying, and often quite high, thresholds for defining when a pattern of behavior constitutes criminal stalking (Hehemann, van Nobelen, Brandt, & McEwan, 2017). The seriousness, frequency, and intensity of the behavior determine whether something is classified as repeated, criminal behavior (Cleiren, Crijns, & Verpalen, 2018). Stalking requires proving a pattern of behavior, and identifying this pattern is something police struggle with. Generally, people come to the police to report incidents: threats, violence, arson, slander. Police tend to focus on the specific report rather than look for an underlying, ongoing pattern of targeted behavior by the perpetrator. Unless the police officer receiving the complaint is very conscious of the possibility that the reported behavior is part of a broader pattern

that could constitute stalking, they tend not to view it as requiring an immediate response. This can lead to a frequent complaint from victims, namely being told that they should "come back when a crime has occurred." One of the participants in the HMIC research project "The Victim Journey" describes how she "was advised that as there were no threats it was just someone expressing their 'freedom of speech'" and "the police advised (…) that there was not enough evidence to arrest the person as there was no direct threat." The authors concluded: "The advice most commonly given by the police in these situations was to keep on reporting and keep a log of any further incidents" (Taylor-Dunn et al., 2017). While it is true that an emergency response to this type of stalking behavior is not always required (even if a criminal investigation may well be warranted), there are times when these kinds of behaviors indicate that the victim is at serious risk. The consequences of misjudging this, and missing the warning pattern, can be serious, even fatal for some stalking victims.

THE POTENTIAL CONSEQUENCES OF "MISSING" STALKING

The majority of stalking cases do not involve violence, even among those reported to police. However, in 20–30% of cases violence does occur. It typically causes minimal physical injury or damage (McEwan, Mullen, & Purcell 2007; McEwan, Daffern, MacKenzie, & Ogloff, 2017), but serious and sometimes fatal incidents of violence happen during a small number of stalking cases. Research in the UK, Australia, and the USA suggests that the stalker inflicts severe or even fatal harm on the victim in approximately 5–10% of stalking situations, although this is likely to be an underestimation (Farnham, James, & Cantrell, 2000; McEwan, Mullen, MacKenzie, & Ogloff, 2009; Rosenfeld & Harmon, 2002). We have observed similar figures in the Netherlands. Every year, on average, "domestic violence"[1]—which includes violence toward ex-partners during a stalking episode—leads to the death of 21 women, 13 children, and 13 men (Centraal Bureau voor de Statistiek, 2013). These victims constitute about a third of the total number of homicide and manslaughter victims in the Netherlands each year (Movisie, 2013). Of particular importance to those interested in stalking-related

[1] In the Netherlands "domestic violence" is a blanket term that is used by police and the public prosecutor's office, which covers a wide range of subjects such as ex-partner stalking, honor-based violence, elder abuse, child abuse, intimate partner violence, etc.

violence, fully half of female victims are killed by their ex-partner (Centraal Bureau voor de Statistiek, 2015).

There is no exact data on how many of these deaths were preceded by stalking by the homicide perpetrator (Den Breejen, 2012). Nonetheless, in recent years, ex-partner killings have attracted significant media attention and in all of these cases it is evident that the death of the victim was preceded by stalking behavior (Kuijer-Slobbe, 2016). An example is the case of 28 year-old nurse Linda van der Giesen. On 10 August 2015, she had just parked her car in the parking lot of the hospital where she worked when she was shot and killed by her 38 year-old ex-partner, John F. He was later convicted for murder. During the criminal investigation it became apparent that John F. had an extensive history of prior stalking and threatening behaviors toward previous girlfriends. Linda contacted the police three weeks before she was shot to report that she was being harassed and felt threatened by her ex-partner, who had told her he was planning to commit suicide. A week later, she again called the police and told them that she was afraid because of the suicide threats John made and his comments about wanting to obtain a firearm. The next day she filed an official complaint and stated that John threatened her, that he had assaulted her by grabbing her by her throat, and that he was stalking her via Facebook and email. The police began their investigation by gathering more information about John. Meanwhile, the stalking continued and Linda contacted the police again on the 2nd, 7th, and 9th of August to report that John had presumably obtained a firearm; that she had evidence that he entered her home in her absence; that he had threatened to kill her; that he published nude pictures of her online; and that she was very concerned for her safety. Linda was reassured and the police responded by putting a so-called "notification code" on her home address in the police information system. A notification code ensures a fast and appropriate response in case of new information or an emergency call.

After Linda's murder, the police response was criticized as inadequate in light of the nature of the complaint and the information Linda had repeatedly provided to the police. An internal review followed, as well as an independent review by a committee who were asked to draw conclusions and provide recommendations about the police response (Eenhoorn, Craemer, Vogelzang, & Jong, 2016). The committee concluded that Linda's complaint, together with the other information available, should have led to a high level of concern and subsequent urgent intervention. Unfortunately, the opposite happened: the police approach was complicated, bureaucratic, and fragmented and too

focused on the legal handling of the case instead of focusing on the most pragmatic (alternative) intervention to stop the stalking and protect the victim. The review concluded that while the needs of the victim should be the first priority in the police response to stalking, that is often not the case (Eenhoorn et al., 2016).

The conclusions about the police response in the case of Linda van der Giesen are also applicable to other cases of fatal ex-partner violence that have occurred in the Netherlands in recent years (Kuijer-Slobbe, 2016). In the same summer of 2015, Raja Draaisma also went to the police for help. She found out that her ex-partner had a firearm and had installed a device to monitor her phone calls in her house and a GPS-tracker under her car. She told the police she was very afraid, but did not yet want to press charges for stalking. The police awaited an official complaint by Raja to start an investigation and did not take any safety measures in the meantime. The official complaint never came: Raja was shot dead in the street by her ex-partner. Again, the police were criticized for focusing on the criminal investigation and ignoring the perspective and safety of the victim. Meanwhile, the police had started a national project to improve the policing response to stalking. This project was launched after another stalking fatality that had happened two years prior to Linda van der Giesen, the murder of 19-year-old Saga Backman by her ex-partner, the 24-year-old Sander V. on September 10, 2013 (Voerman & Brandt, 2016a). Saga had also contacted the police to share her concerns about the stalking behavior of her ex-boyfriend and her personal safety, without it resulting in safety measures.

Analyses of these and other fatal incidents showed that the same problems arose in each case. Kuijer-Slobbe (2016), following an internal review of stalking related homicides, summarized a number of interrelated key problems that contribute to the inadequate police responses:

Recognizing stalking.

- Stalking is difficult to recognize because it is a complex phenomenon.

Volume and prioritization.

- Police deal with a large volume of cases, which means prioritization is necessary.
- Cases are prioritized based on criminal merit, not level of concern about the victim's safety.

Victim safety.

- The immediate safety of the victim is not considered (no measures are taken).

Communication and cooperation.

- Communication and cooperation between different agencies are often lacking.

In the following sections, each of these observations is discussed with relevance to research and writing from other jurisdictions, which show that the Netherlands National Police is not alone in facing these problems.

KEY PROBLEMS LEADING TO INADEQUATE RESPONSE BY DUTCH POLICE

Recognizing Stalking

Research into the policing of stalking shows that officers often find it a difficult phenomenon to understand and respond to, partly due to complex legal definitions (Lynch & Logan, 2015). A recent review in the United Kingdom identified that a central problem in the response to stalking was simply recognizing when the problem was present, let alone being able to accurately assess risk (Taylor-Dunn et al., 2017). The authors of the review described that victims were advised that what they were experiencing was not serious enough to be considered a crime, that if the offender, for example, did not make specific threats, no crime had occurred. One woman was advised that the indecent pictures of her that her ex had posted online were not "indecent enough." This suggests "a misunderstanding of the harassment and stalking legislation" (Taylor-Dunn et al., 2017).

It is well recognized that stalking can involve a wide range of behaviors, everything from contact and communication to property damage, issuing threats, leaving gifts, sending money, spreading gossip, ordering goods on the victim's behalf, posting nude photos of the victim online, to making malicious complaints and stalking the victim through a third party, so-called stalking by proxy (Sheridan & Roberts, 2011; Voerman & Brandt, 2016b). People being stalked often report individual incidents; the house is being watched, car tires are slashed, or threats are received in text messages. When individual incidents are reported at different times to varying police officials, the result is a fragmented picture. In many cases the officers involved are unaware of the context of an incident and as a result respond exclusively to the incident rather than to the stalking as a whole. The authors of the report "Living in fear—the police and CPS response to harassment and stalking" (HMIC, 2017) found that because stalking was misunderstood by police "it often went unrecognized. The police sometimes mis-recorded stalking offenses, or worse, did not record them at all."

Many victims who report to the police that they are being stalked are advised to keep a log of the stalking behaviors and come back to the

police when they have collected information about a series of incidents (Van der Aa, 2010; Voerman & Brandt, 2016b). Essentially, they have to establish the pattern themselves. When the pattern meets the threshold for constituting criminal stalking, they can file an official complaint. Different victims meet different thresholds communicated by different police officials. To advise victims to keep a log seems logical from an investigative perspective, but not from a behavioral or preventative point of view. Early interventions in stalking cases are to be preferred above late ones in which a stalker has already shown such persistence that this makes it much more difficult to stop or change this behavioral pattern. Also, from an investigative point of view, a stalking case that is still in the early stages generally requires less effort and resources to conclude. While the victim is logging all the incidents, waiting to meet the threshold, the stalker is not receiving any feedback that his behavior is unacceptable, is suffering no (adverse) consequences, and is therefore much more likely to continue. The longer stalking continues, the harder it becomes to stop.

It can be extremely challenging for victims to demonstrate that there is a pattern of behavior that constitutes stalking. Even seemingly simple questions like "when did it start" can be difficult to answer. When exactly did the behavior change from weird and annoying to frightening? What behaviors should be considered part of the stalking and so reported to police? For example, does calling your ex-partner about shared children constitute part of a stalking episode or a legitimate reason for contact? Self-harm can even be part of a targeted stalking episode. For example, one memorable stalker we worked with set himself on fire in his victim's garden because he thought this would show his victim how much he needed her. Fortunately, she immediately called the police and let them put out the flames. For police responding to this incident, it had to be understood in the context of the broader pattern of behavior for it to be seen as a crime (and the stalker as a criminal) in any way.

The perceptions of individual police officers can also add to the complexity of stalking cases. There is a sizeable body of research showing that people generally have difficulty recognizing a pattern of behavior as stalking, particularly when the victim and perpetrator are former intimates (Scott, Rajakaruna, Sheridan, & Sleath, 2014). Research by Weller, Hope, and Sheridan (2013) showed that, when asked to evaluate identical scenarios where one involved stranger stalking and the other ex-intimate stalking, police officers were equally as affected by this bias as lay people. Police officers more readily identified stalking by a stranger than by an ex-partner, even when the two episodes were identical in every other way. Receiving

hundreds of threatening texts from a stranger is judged as more frightening than receiving hundreds of the same threatening texts from an ex-partner. The reasons for this bias are unclear, although it may be that more responsibility is attributed to victims when they have previously shared a relationship with the stalker. Alternatively, it may be some sort of fear of the unknown, similar to the inaccurate concept of "stranger danger" in child sexual abuse, when actually children are most at risk from people known to them.

An area of further complexity for police responding to stalking cases is the fact that in some cases both parties appear to be stalking or harassing each other. This is most common when there has previously been an intimate relationship, and the stalking is perpetuating an unhealthy pattern that continues after the relationship has ended. This phenomenon is understudied and reported, although it has been observed in a small number of studies of university students (Langhinrichsen-Rohling, Palarea, Cohen, & Rohling, 2000; Senkans, McEwan, & Ogloff, 2017). In these situations, people outside the relationship (including police) find it difficult to understand what is going on and who is responsible for what. It can be hard to distinguish between ex-partner stalking on the one hand and an acrimonious divorce on the other. Figuring it out takes time and considerable investigation, which is not always undertaken by police.

Volume and Prioritization

The policing machine as a whole is not really structured to react with speed and efficiency to stalking cases. Unless an acute and urgent situation has been reported, it can take time for police to respond. Police officers are well trained and equipped to act as soon as an incident occurs, so-called "reactive policing" (National Center for Victims of Crime [NCVC], 2002). Reactive policing is meant to stop ongoing criminal acts and help and protect victims in acute situations, but the separate incidents that are part of the stalking pattern rarely (if ever) lend themselves to reactive policing.

Victims who walk into a police station to report stalking are treated the same way as other people who want to report a crime. The crime is seen as something that has already taken place; a bicycle has been stolen, there has been a burglary, the hedge was set on fire or someone has been attacked. In all these cases the police report is the start of an investigation. The stalking report is one of many reports, all awaiting further investigation. However, a person who comes to report being stalked is usually right in the middle of an ongoing situation, an ongoing crime. Often, each incident in itself is minor; it is

their cumulative nature that makes them an offense and can indicate that victims are at risk.

Another important point to make is that victims don't generally walk into a police station saying that they want their stalker locked up. They walk into a station asking for help. To make it stop. Taylor-Dunn et al. (2017) concluded: "Overwhelmingly participants just wanted the abuse to stop as a result of police involvement, however, a number were prepared to attend court and give evidence in order to reach some sort of solution."

The police have to handle a large number of incident reports and manpower is limited, meaning emergencies are prioritized. In the Netherlands, in 2015 and 2016 there were approximately 3000 stalking complaints (each year) registered by the police (Centraal Bureau voor de Statistiek, 2017). This number does not reflect the total number of stalking cases. A large number of stalking related incidents are not reported as stalking, but as harassment, threats, nuisance calls, property damage, and so forth and are therefore not registered correctly. Some people will also report stalking behaviors, but not make a formal complaint. This problem is not unique to police in The Netherlands. Brady and Nobles (2017) examined how the Houston Police Department responded to stalking and found that "compared with other interpersonal crimes, incidents of stalking are dramatically under recorded."

It is as well to be aware that police stations in every town and region receive hundreds of reports every day and dozens of these involve threats and stalking. All of these reports have to be handled and prioritized by one or more officers. Consequently, there is not enough time to dig deeply into each one and those that seem most severe are prioritized. Screening of cases for a police response has traditionally been based on whether the report contains enough elements of a crime to make it likely that the case will proceed to prosecution. This is understandable given it is the responsibility of police to investigate crimes for prosecution; however, as highlighted by Kuijer-Slobbe (2016), this is no longer enough. It is based in part on the assumption that prosecution is the way to stop a stalker, but in reality, it is a long and sometimes unsuccessful way of managing a stalker, when there may be other means that are faster, less time consuming, and more effective. For example, in stalking cases that have not yet escalated and where the stalker has not yet invested a great deal of time, money, and energy, a so-called "stop conversation" can be a very effective intervention. This is when a police officer, usually a community police officer, confronts the stalker, tells them their behavior is unwanted and will constitute a crime if it continues. Research by Van der Aa (2010) showed that a

conversation with the stalker in the first few weeks can be effective at getting the stalker to change his mind and stop stalking. Particularly in the very early stages, some stalkers are just so caught up in themselves and their sense of injustice, anger, or frustration that they are not even considering that what they are doing could be illegal.

As a result of the focus on screening for "criminal merit," as it were, less attention is paid to accurately judging how concerned one should be about a given stalking case at a given time. By focusing on criteria that don't incorporate the risks a stalker can pose to the victim, it is easy to miss concerning cases. To overcome this problem, a focus on the immediate safety of the victim must be incorporated so the police can prevent future crime as well as respond to crimes that have already occurred. Police have to be willing to take the victim's perspective into account and ask: What would be the most effective management of this stalking case at this time? This is instead of sending victims away and telling them to keep a log and come back if it continues or gets worse. What is required is not a one-track approach (criminal proceedings), but a two-track approach (criminal proceedings AND victim safety).

Victim Safety

Historically, the police have not been focused on safety and prevention, but on catching criminals and solving crimes. Officers forget to ask themselves (and the victim) if they think the victim will be safe once they leave the police station: "some victims of stalking are left unprotected because the risks to them are not assessed routinely. In addition, the lack of risk assessments is contributing to the problems (…), that they [victims] are not taken seriously and patterns of victimization are often not identified" (HMIC, 2017). The examples provided in the introduction all illustrate this problem.

Being able to assess someone's safety or lack thereof is easier said than done. To do so, police officers need to be able to assess risks specific to the situation, in this case, stalking. Formal risk assessments were, however, never part of the policing process in responding to stalking. Training in understanding stalking or what factors may be associated with increased risk is still not widely available. Even though stalking is complex, there is no specialist training for police officers on how to handle stalking cases. It would therefore be inappropriate and unrealistic to expect them to undertake an informed and evidence-based risk assessment.

Given how frequently stalking occurs and its potential to cause damage, it is essential that police officers who respond to stalkers and

their victims are able to identify cases where there is a risk of significant harm. It is not necessary for them to complete a comprehensive risk assessment in stalking cases, but they should nevertheless be in a position to use evidence-based approaches to triage stalking cases according to the priority and urgency of the immediate response required to mitigate against harmful outcomes—and also to identify cases requiring further, specialist assessment (McEwan et al., 2017). The size of the police organization and number of cases warrants a structured risk assessment approach. It needs to be one that is easy to become familiar with, useful for police professionals who have different levels of knowledge and experience, and not too time consuming.

Structured risk assessment is key to a preventative policing approach. By selecting the most concerning cases and prioritizing case management accordingly, future harm to victims can be prevented. At the same time, it is important to acknowledge that not everything is preventable. Some things are impossible to foresee and prevent even with all the determination in the world, the most efficient police response, and the full range of security measures. In our work we have come across stalkers who were so destructive and determined to cause maximum distress and damage to their victims that there was little the police could do, even with appropriate attention and assessment. Even when you do everything you possibly can, in some cases it is simply not enough.

Communication and Cooperation

Within the Netherlands police, one crime is dealt with by several different departments. As a result, police responses to stalking appear to be hamstrung by internal processes that result in a fragmented view of the case that does not assist in developing an effective response (Eenhoorn et al., 2016). When reporting a crime, the first point of contact is usually someone from the "service and intake" department. They take statements, check the police systems for extra information, and pass the case along the line to a case screener. The case screener decides what needs to be done with the case, by whom, and how urgently. The case is then passed along to any one of a number of different departments, depending on the outcome of the screening process (Hehemann et al., 2017). The lack of clear communication about a stalking case, and a system for immediately identifying and assessing its urgency, can have very serious consequences. A stalking case can get forgotten or caught up in the internal flow of processes and therefore not get the required attention and management.

Communication and cooperation outside of the police organization is often also incredibly important and another area where responses to victims have been poor. Stalking cases are almost always complex, and made more so when victim and stalker have shared a long-standing relationship or have children or shared property. When these kinds of factors are present, there are usually other agencies involved apart from the police – for example, child protective services, family court, the probation service, the local council (forensic), mental health, etc. Managing stalking—which is usually the aim given that many episodes do not end quickly or easily—means attempting to resolve the stalker's behavior over a longer period of time using various interventions that require multi-agency cooperation. All these different agencies have their own agenda, procedures, and policies. A good example is child protective services. They generally want parents to work together toward reaching an agreement about who sees the children when and what a sound parenting plan looks like. But putting the parents in the same room together and making them have contact is totally inappropriate if one of them is stalking the other. Family courts sending people to mediation time and again (we have seen people be referred to mediation as many as nine times in a row) is particularly counterproductive and could increase the risks of the stalking continuing and possibly escalating.

Stalking can be successfully managed when all these agencies talk to each other, share information (as much as they can), and come up with a multidisciplinary management plan. Too often though, all the agencies possess some pieces of information, but because they don't share them with the other agencies involved, no one knows what the bigger picture looks like. Again, research and experience indicate that this state of affairs is not unique to the Netherlands, the authors of the 2017 HMIC study reported that: "a structured risk assessment plan was often not completed for victims of harassment and stalking. When a plan was completed, it was haphazard and frequently did not follow a recognized model and/or did not explain adequately how the risks to the victim would be managed" (HMIC, 2017).

Summary

A series of high-profile cases in which police failed to respond effectively to stalking, eventually resulting in the death of the victims, led to increased attention to police responses to stalking in the Netherlands. This identified a range of shortcomings in the Netherlands police response, which seem to be similar to those that have been written about in the limited literature on policing of stalking. Key shortcomings

are: failure to recognize stalking; failure to focus on victim safety as well as crime prosecution; failure to effectively assess risk and prioritize cases; and failure to communicate effectively about stalking, both internally and with other agencies. In the next section, we discuss how the Netherlands National Police has responded to these criticisms by attempting to create a new system to improve police responses to stalking.

DEVELOPING A MORE EFFECTIVE RESPONSE TO STALKING

The Netherlands National Police has for some time been moving away from a reactive policing model toward a more proactive attempt to prevent future crimes. It is obviously still very important to investigate and prosecute crimes that have occurred (and always will be), but there is increasing recognition that victim safety and crime prevention are equally important. The new focus on safety and prevention is particularly important for victims of stalking, because it means that police should be more attuned to early signs of potential harm, meaning that victims should no longer have to "wait until a crime has occurred" to engender a police response. As part of this shift, and in the wake of the fatal stalking cases over the past decade, the Netherlands National Police have developed a new procedure to try to overcome the existing shortfalls.

A STRUCTURED POLICE APPROACH TO STALKING

To overcome the existing shortfalls in the police response to stalking, it was necessary to change the standard work process and focus on three main topics: identification, prioritization, and management. Each of these steps can be improved by the following actions or changes:

1. Improve the recognition of stalking:
   a. Providing accessible, straightforward, and practical knowledge about stalking and its associated risks.
   b. Creating an automated query that acts as a safety net to ensure no stalking cases are missed, even (or precisely) if incidents are not labeled as stalking.
2. Routine attention to victim safety and level of concern: screening of cases to determine the appropriate level of concern for victim safety, with a validated screening instrument specifically for stalking.

3. Improve communication and cooperation: case management ensures someone is responsible for the case who knows which agencies are involved, which actions have been or need to be taken, and who can monitor the case for as long as necessary

Improve the Recognition of Stalking

Knowledge

Education is an essential first step toward recognizing stalking. The Netherlands police employs around 65,000 people in total and a significant proportion of these officers require training. Integrating training into the existing curriculum is an ideal way to ensure future generations of police officers are made aware of the challenges around policing stalking very early on. The Netherlands Police Academy has therefore incorporated information on stalking, stalking risks, and the new police approach in their basic police training.

Apart from the structural changes to the standard training program for (new) police officers, there were a couple of other initiatives implemented to improve the knowledge and skills of (existing) police officers:

a. a practical handbook about stalking management was published and made available (Voerman & Brandt, 2016b);
b. an easily accessible online training program was created;
c. awareness around stalking and its associated risks was raised via workshops, training sessions, and police internal press releases.

Automated Query

In conjunction with the effort put into improving knowledge about stalking, the Netherlands police developed an automated query. Every 24 hours, the query automatically searches the information in the police systems for certain words, phrases, and combinations that are related to stalking. The day's output (per team) is then checked by a police officer to determine whether any of the incidents it has flagged are indeed stalking related. Information from other police systems is used to refine the search output. The query works as a safety net, to make sure no cases remain unnoticed because they weren't labeled as stalking when they were entered into the system, for example. The other benefit is that the query combines information from different police systems and links the information. The case of Linda van der Giesen was one of the cases used to test the query. Not only did the case show up in the output, it also showed that the offender had previously stalked another victim in a different police region. Before the query's

development, a police officer would have had to actively go looking to see if there was information on the offender in other police systems (meaning that if they didn't, they wouldn't be aware of it).

Routine Attention to Victim Safety and Level of Concern

Once cases of stalking have been identified, they need to be prioritized. One way to do this is to provide guidelines or instruments that can help police to recognize the behavior and assess it in a structured, evidence-based way, so that prior to screening for elements of a crime they can screen for risks to the victim.

A stalking checklist was developed in the Netherlands in 2012 (Brandt & Voerman, 2012 in Kruijer, 2014) which had 10 items that were developed from a review of the relevant stalking literature. The checklist was used as an *aide de memoire* for police officers completing an intake or reporting a complaint, and aimed to collect information relevant to the risks posed by the stalker. One of the problems the Netherlands police were facing was that stalking management was not tied to the assessed level of risk (Geertsma, in preparation), even with the use of the checklist. The checklist was part of the standard instruction of policing stalking cases, until it was replaced in 2015 by a tool that was better able to tie assessment and management together. That year, McEwan et al. published a revised version of their "Stalking Assessment Screen," now named the SASH (Screening Assessment for Stalking and Harassment; McEwan, Strand, MacKenzie, & James, 2015). The SASH was developed by a team of Australian, Swedish, and British clinicians and researchers with expertise in risk assessment in cases of stalking, threats, harassment, and intimate partner abuse. The revision was based on reliability and validity trials in Sweden and Australia, and feedback from users around the world. The SASH was found to be very useful for police purposes. In contrast with the checklist, which only assisted in giving an overview of relevant risk factors, the SASH added the concept of warning signs where some risk factors are considered to have more weight than others. Secondly, the risk factors are well described, so that they can be easily scored; and thirdly, the SASH moved away from assessing the specific risk of violence to the establishment of a different risk concept: level of concern. The level of concern incorporates risk indicators referring to violence, escalation, and persistence and therefore better reflects the different forms of harm a victim may come to. The SASH was translated into Dutch to replace the 10-item checklist and made available to police officers in 2015 (SASH-NL; McEwan et al., 2015).

Purpose and Structure of the SASH

The SASH is designed to help professionals who are not experts to prioritize resources in stalking or harassment cases. The SASH helps to identify cases that are more likely to involve physical violence or prolonged stalking behavior, both of which can be highly damaging to victims. Cases identified as being of higher concern using the SASH should be prioritized for a more urgent and comprehensive response, and may require further, more detailed, assessment. The SASH is intended to be used as a triage tool that can help guide decisions about case prioritization, not as a substitute for a comprehensive risk assessment that can aid in formulating risk management strategies.

(…)

The SASH consists of 16 items, 13 of which are scored in all cases and 3 scored only if the stalker is a former partner, date, or sexual intimate of the victim. Each SASH item is scored as either present, absent, or not known in a given case. The first six items capture the nature of the stalking behaviors to date. The seventh item involves a judgment about the perpetrator's mental state at the time of assessment (this does not require clinical training). The eighth item concerns the presence or absence of situational factors that might lead to contact between victim and stalker and so aggravate the situation.

Items 9–13 capture characteristics of the perpetrator's history and current circumstances that may affect their stalking behavior. Item 9 asks about the stalker's history of other stalking or harassment, while Item 10 asks more broadly about history of physical or sexual violence. Items 11 and 12 ask the user to judge whether the perpetrator has problems associated with poor mental health or substance misuse, factors which have been linked to prolonged stalking or violence. Item 13 records the presence or absence of extreme stressors that might destabilize the stalker's mental state or behavior.

Where there has been a dating or sexual relationship between stalker and victim prior to the stalking, users go on to rate a further three items. The first focuses on the victim's level of fear, drawing on an extensive literature about the value of victim judgments in intimate partner violence and stalking cases (Nicholls, Pritchard, Reeves, & Hilterman, 2013). Item 15 relates to problematic relationship behaviors by the stalker, including jealousy and possessiveness, while Item 16 captures the presence of contextual factors that may prolong the stalking behavior (e.g., custody or other legal disputes).

SASH, Guidelines for Application and Interpretation, McEwan et al., 2017, p. 4–5; used with permission of the authors.

Hehemann et al. (2017) tested the Dutch version of the SASH to determine if the instrument was useful for police purposes. Her research showed that untrained police officers were able to score SASH items in the same way 81% of the time. The results demonstrated that the SASH outcome "level of concern" was effective in differentiating between subsequent stalking of differing severity. As intended by the authors, the SASH was shown to be particularly effective for identifying cases where subsequent stalking was of low severity (Hehemann et al., 2017). Another result of this research showed that even though the SASH is quite straightforward to use, officers would very likely benefit from some training and practice.

Improving Communication and Cooperation

Because of the high volume of stalking cases, the police cannot manage all incoming cases at the same time and to the same level. The outcome of the SASH helps determine which cases need to be prioritized and how to manage them. Police responses can be tied to the assessed level of concern. For low concern cases, the standard police preventative procedure involves taking a statement, advising the victim about their options and about safety precautions, and putting them in touch with relevant support services, in addition to giving a verbal warning to the stalker to stop their behavior. If the stalker stops, the case will be closed; if not, an official complaint follows, and criminal proceedings are initiated to prosecute the stalker.

To improve communication between victims and the police and to focus on victim safety, a brochure was developed for victims. It provides them with information about stalking, risk factors and do's and don'ts, information about what they can expect from police and other agencies, and contact information for other agencies (Evers, Voerman, Brandt, & Lenting, 2015; Voerman & Brandt, 2018).

Moderate and high concern cases require a more comprehensive approach. A threat management plan plays a central role. This plan outlines which measures need to be taken to ensure the victim's safety, which agencies to consult (probation service, the public prosecutor's office and victim advocacy for example), and how to monitor the situation effectively. A case manager (usually from within the police) is assigned to each case to facilitate cooperation between different police departments and the public prosecutor's office, as well as between the police and external agencies. The case manager is responsible for drawing up the management plan, communicating with other parties and agencies, and monitoring the case for as long as is necessary. Victims are provided with a fixed contact within the police to ensure

that they do not have to tell their story to a different police officer every time something new happens. High concern cases differ from moderate concern cases in the level of urgency associated with victim safety measures and the implementation of immediate strategies to ensure that violence does not occur. In all cases, normal criminal investigative procedures are also followed in addition to these preventative measures.

Complex cases can also be referred to an investigative psychologist for a comprehensive risk assessment. The investigative psychologists within the Netherlands police have been trained in the use of the Stalking Risk Profile (SRP, Mackenzie et al., 2009/2013). The SRP is a risk assessment tool (structured professional judgment) that assesses the risks of persistence (or recurrence) and violence to the victim and the risk of psychosocial damage to the stalker. A risk assessment can be used to provide input for the management plan in a given case, because it identifies which risk factors can be either treated or managed.

Pilot Project Review

The new approach, as described in the previous paragraphs, was trialed by four pilot teams over a period of three months, from both urban and rural areas. The pilot teams each received a day of training and instruction. At the end of the three-month period there was a brief evaluation. A more in-depth evaluation and follow-up of the cases from the pilot is currently under way.

A brief review immediately after the pilot phase in September 2016 showed that overall police were positive about the new approach (Kaasjager, 2016). They appreciated the training and found it interesting. They felt better equipped to deal with stalking cases and realized how many cases had been ongoing for a long period of time without ever being resolved. They also reported positive feedback from victims who felt they were being taken seriously, rather than being told to "go home and keep a diary of events." They reported being able to actively intervene much earlier, thereby stopping cases from escalating. The case screeners who used the SASH said it helped them to communicate the results and urgency of a case to other parties and the case managers appreciated being able to discuss more complex cases with an investigative psychologist. All four pilot teams reported that once they had started trialing the new approach, it was as if they had opened up a Pandora's Box. So many stalking cases had been lying on the shelves, unresolved, and ongoing, that it took about half the time of the pilot project to, as one colleague put it, "tidy up old rubbish" before being able to start working on any new cases. People pointed out that both case screeners and case managers needed to be people with some

affinity with the subject matter, because it required knowledge and determination to motivate others (both within the police and from other agencies) to deal with these types of cases (Kaasjager, 2016).

The cases that were part of the pilot process are currently being followed up to determine which kinds of interventions police used, whether the interventions were effective and tie in to the level of concern, and whether we can develop additional practical management guidelines for police (Hofstra, in preparation).

Since the pilot project ended in 2016, the Netherlands police started with an official implementation process of the new stalking approach. That process is still ongoing, team by team, and is planned to be finished in 2019.

CONCLUSION

Anti-stalking legislation was implemented in the Netherlands in 2000 as a solution to deal with stalking cases. A review of police procedures and actions in a number of fatal stalking cases 15 years later brought to light structural problems. The legal proceedings often did not stop stalkers or prevent them from causing harm to their victims. As the aim of the Netherlands police is preventing crime as well as investigating and prosecuting it, it was obvious that a new approach to policing stalking had to be developed. Victims of crime deserve the best effort to protect them from future harm and criminal behavior. In order to do this, police have to be willing to take the victim's perspective into account and ask: What would be the most effective management of this stalking case at this time? The response must not be restricted to one track (criminal proceedings), but to a second track: victim safety.

To change the way the police work, education is an essential first step toward the improved recognition of stalking. However, police officers are not up to the task of recognizing and filtering out all stalking cases single-handedly. A computer or software system (an automated query) is required to act as a safety net, because people will always make mistakes or miss cases. Secondly, recognizing stalking may be the starting point, but it is equally important to change the management approach. In order to prevent further stalking, the police need to be able to prioritize cases as police resources are limited. Cases that are more concerning require a more urgent and comprehensive approach. A threat management plan, in which the police take responsibility for improving the safety of victims and thereby protecting them for future harm, is essential.

Whereas it would be unrealistic (and vain) to suggest that from now on, no stalking victim in the Netherlands is left unprotected or at risk, the new policing response for stalking cases is a good starting point for police to be at their best (practice) in protecting and serving the community in general and victims of stalking specifically. We will continue to evaluate and refine the new approach and invite anyone reading this chapter to challenge our beliefs, or to implement and test the presented practice.

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13

Risk Assessment and Management of Stalking in Sweden: The Importance of Fear as a Victim Vulnerability Factor

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INTRODUCTION

Threats and harassment are increasing in modern society, where the internet, and specifically social media, are being used as a new arena for stalkers (Sheridan & Lyndon, 2010; Tokunaga & Aune, 2017). The lifetime prevalence of stalking, defined as "a course of conduct that causes fear or concern for safety" (Logan & Walker, 2017; Pathe & Mullen, 1997), was found to be 9–20% in English-speaking countries, where around half of the stalkers were an ex-intimate partner and the other half were acquaintances or strangers (BRÅ, 2006; Finney, 2006; Stieger, Burger, & Schild, 2008; Wurm, 2013). It can be difficult for the victims to recognize what is stalking and what is not, but when threats and harassment escalate over time and become more intrusive toward a person, one can say that stalking

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occurs (Mullen, Pathé, & Purcell, 2009). Beside the intrusive behavior, the victim's fear is a central element of stalking and constitutes one of the major differences between harassing behavior and stalking. Being threatened and harassed over a period of time induces fear of the perpetrator, meaning that what was seen at the beginning as minor harassment will after some time become more frightening and constitute stalking from the victim's perspective.

Fear also makes victims vulnerable to further harassment and stalking, since fear may impact the ability to make decisions that will lead the victim to take control over their life. In order to decrease the perceived danger, victims make decisions on how to handle their situation. Some of the coping strategies chosen might work to calm down the immediate situation but will not work in the longer term. Some coping strategies, like repeatedly making contact with the perpetrator, might also make the situation worse, although the intention was to make it stop. It is therefore essential to learn more about which strategy to use successfully in order to minimize negative consequences for the victim. If the harassment stops at an early stage, the impact on the victim is less severe and there are often minor consequences for the victim related to the situation, as compared to when the duration of stalking is longer (Kamphuis, Emmelkamp, & Bartak, 2003). However, since to a high degree it is up to the victim to report stalking, it is difficult to introduce risk management in an early stage as the victims might not yet have recognized the behavior as stalking.

A relatively large body of research has accumulated over the years examining what people recognize as stalking and what factors influence judgments about the severity of stalking situations (Mullen et al., 2009). Stalking by strangers is judged to be more serious and more fearful than being stalked by an ex-intimate partner; male stalkers are perceived to be more harmful than female stalkers; and stalking is unlikely to be recognized as such if it does not involve overt aggression. These misperceptions have been identified, and continue to exist despite the fact that there is empirical evidence showing that ex-intimate partners are more likely to be violent; that male and female stalkers are equally violent; and that stalking causes psychological and social harm to victims regardless of victim gender and whether or not the stalking involves violence (Purcell, Pathe, & Mullen, 2005; Strand & McEwan, 2011, 2012; Weller, Hope, & Sheridan, 2013). Fear of the stalker is closely linked to these misperceptions, leading to the victim misjudging the seriousness of the stalking situation and using ineffective coping strategies that do not lead to proper protective actions. Being afraid of the stalker has consequences when it interacts with the choice of coping strategies that victims make (Podaná & Imríšková, 2016).

Therefore, the overall aim of this chapter is to investigate the importance of fear as a victim vulnerability factor when managing risk of stalking, specifically for ex-intimate partner stalking, and how police in Sweden assess and manage the risk for further stalking.

PREVALENCE OF STALKING VICTIMIZATION

The European studies to date report lifetime prevalence rates of stalking victimization of about 10% in Germany, Sweden, and Austria (BRÅ, 2006; Dressing, Kuehner, & Gass, 2005; Stieger et al., 2008; Wurm, 2013), which is lower than the 15–20% prevalence found in the UK and Australia (ABS, 2006; Budd & Mattinson, 2000), although in the UK the British Crime Survey reports prevalence rates of about 9% (Finney, 2006). One important result from these national studies is that they have measured the level of fear reported by the victim. In Sweden, 3% of the population, i.e., approximately one third of stalking victims, reported a high level of fear of the stalker (BRÅ, 2006). Similar results were found in a study conducted in the US (Basile, Swahn, Chen, & Saltzman, 2006) and another conducted in Scotland (Morris, Anderson, & Murray, 2002). The prevalence of intimate partner violence (IPV) and stalking can also vary within a country based on population density, where rates in rural communities have been found to be similar to, or greater than, those in urban communities (Breiding, Ziembroski, & Black, 2009; Edwards, 2015; Peek-Asa et al., 2011). Approximately 34% (3.3 million) of the Swedish population lives in areas considered to be rural or remote; by comparison, 19% in the US, 11% in Australia, 19% in Canada, and 17% of the populations in England live in rural or remote areas (US Census Bureau, 2016; ABS, 2016; Statistics Canada, 2016 [http://www.statcan.gc.ca/tables-tableaux/sum-som/l01/cst01/demo62a-eng.htm]; UK official statistics, 2016). Therefore, it is necessary to understand not only the prevalence in the country but also its location. Rurality needs to be considered when gathering crime statistics, in order to better understand how common stalking is.

Although criminalized in the US, UK, and Australia since the mid-1990s, most European nations have implemented anti-stalking laws more recently (in Sweden the law came into effect in 2011). Importantly, due to the absence of stalking laws over the years, relatively little is known about the prevalence of stalking behavior reported as a crime in Europe, the nature and impact of victimization, or police knowledge and practice in European jurisdictions, in particular for online stalking,

i.e., cyberstalking. During 2011–2013, there were about 1,700 stalking charges in Sweden, of which 16% were prosecuted and 7% were convicted (BRÅ, 2015), indicating that only a few cases of stalking were found within the Swedish judicial system. In contrast, 54,600 threats and 55,800 cases of harassment were reported to police in Sweden during 2016. This constitutes about 6% of all reported crimes toward a person that year (BRÅ, 2018). Both threats and harassment are crimes that can be part of stalking behavior (Logan & Walker, 2017). This indicates that victims of stalking may report stalking behavior to the police, but neither the police nor the judicial system identifies the victims as victims of stalking per se and therefore adequate support has not been given to victims.

Moreover, stalkers engage in activities that are sabotaging the victim's life; while some of the actions are not crimes per se, they can create huge discomfort or problematic everyday life for the victim, which will decrease the victim's quality of life (Logan & Walker, 2017). It is a challenge for the victims to continue to report stalkers to the police when their experience is that when they meet the police, they are told that the police cannot pursue a criminal charge since it is not a crime. Stalking laws are supposed to look beyond this and capture the nature of the behavior as a criminal act but, for instance in Sweden, every stalking behavior has to be a crime in itself in order to be part of the criminal acts charged according to the stalking law. It is difficult to gather evidence for the behavior as a criminal act due to the nature of the stalking behavior, such as loitering outside the victim's workplace or sending text messages without threats or harassments, and so on. This is an important factor influencing the low rate of convictions of stalking crimes, as they tend only to go forward in the criminal justice system when they are severe and contain threats or violence.

FEAR AS A VICTIM VULNERABILITY FACTOR

In fear of crime theory, *fear of crime* is commonly defined as an emotional response triggered by a situation of perceived threat and danger to oneself; for example, in a situation where one is at risk of becoming a victim of a crime. In the triggering situation, both situational factors as well as victim characteristics have been shown to be important when analyzing fear of crime (see the work by Ferraro, 1995). Fear of crime as expressed for crime in general can be difficult to measure, since the level of fear might differ according to type of crime. Furthermore, individuals perceive fear differently, indicating that it is a cognitive process

dependent on the person's experiences and personality. The cognitive process can be bypassed due to earlier experiences, and thereby a perceived threat can lead to an immediate emotional response of fear, as well as building up a cognitive process that starts with anxiety that then develops into fear.

Fear and distress is a central concept in stalking; however, the perceived fear differs across stalking situations, where the nature of the relationship and other factors such as persistence and gender of the stalker play an important role. Fear of the stalker has been shown to be experienced to a larger extent when the prior victim–stalker relationship was close in nature, as opposed to the stalker being a stranger. Stalking is to a large extent about the relationship, imagined or real; closeness being positively associated with level of fear. Moreover, severity also increases the level of fear; for example, fear of interpersonal violence committed by a stalker with no prior notice differs from having indications of such an attack (BRÅ, 2006; Mullen et al., 2009; Podaná & Imríšková, 2016; Strand & McEwan, 2011, 2012). The perceived fear can also differ in similar situations for different victims, where one victim might be terrified while another victim might feel less scared, where gender, relationship, and age have been shown to influence the impact of fear as well as psychological distress. For example, women have been shown to be twice as likely to be more frightened of their stalker than men (60 vs. 30%), and women were also more frightened of a stalker that was their ex-intimate partner (67 vs. 40%) than an acquaintance or a stranger, compared to men (Dietz & Martin, 2007; Reyns & Englebrecht, 2012; Sheridan & Lyndon, 2010). Reyns and Englebrecht (2012) show in their research that the time factor also is relevant when investigating how fear develops in stalking victims. Their results showed that 28% of the victims felt fear when the stalking started, while 15% of the victims felt fear when it progressed. They also showed that if the stalking situation was more severe, the victims were more likely to experience fear. How fear differs across stalking situations, relationships, and other factors needs to be further researched, and the theory of fear of crime offered by Ferraro provides a good foundation to build on.

Fear, as well as worrying about others close to the victim in relation to the stalking situation, has also been shown to be a vulnerability factor for risk of further stalking victimization (Kropp, Hart, & Lyon 2008), which also applies to crimes in general (Ferraro, 1995). Fear is therefore important to recognize as a sign of possible danger to oneself. To be afraid of the stalker can be both a good and a bad thing depending on whether the fear is real or misjudged, and how the victims cope with the situation. It can lead to engaging in positive coping strategies

early on, in order to avoid the immediate danger. But, if the fear is too overwhelming, negative coping strategies can be used, such as being paralyzed and not being able to do anything at all, which might be exactly what the stalker desires. By not being able to cope with the fear of the stalker and the situation, the feeling of helplessness increases. In this way fear can become a vulnerability factor that instead of decreasing the risk of continued stalking, increases the risk (Kropp, Hart, & Lyon, 2008).

STALKING VICTIMIZATION

Stalking victimization is associated with high rates of violence, where 20–30% of victims have been assaulted and 50% have been directly threatened (McEwan, Mullen, MacKenzie, & Ogloff, 2009). Being a victim of IPV and stalking is a major strain and has a large negative impact on quality of life for victims (Hansen, Sawer, Begle, & Hubel, 2010), where mental health problems such as stress and depression are common (Diette, Goldsmith, Hamilton, Darity, & McFarland, 2014; Korkodeilou, 2017; Sheridan & Scott, 2010). There is also evidence that stalking victimization is associated with post-traumatic stress symptomatology among self-identified victims seeking help (Kamphuis et al., 2003; Kuhner, Gass, & Dressing, 2007). One study specifically examined the incidence of general and post-traumatic psychopathology in a representative sample of victims, finding rates of 36 and 16% respectively, where traumatic stress symptoms were significantly more common at the time of stalking and within 12 months of it ceasing (Purcell et al., 2005). Women aged 23–29 years old were shown to be 27% more likely to develop psychological distress when being stalked, compared to those who were not within this age range. One possible reason for this is the vulnerable state they are in when moving into adulthood and leaving the secure life with their family (Diette et al., 2014). In sum, these results indicate that sizeable numbers of stalking victims experience mental health problems.

Furthermore, victims with high levels of fear have reported more psychological and physical problems than those with lower levels of fear, which leads to poor quality of life (Davis, Coker, & Sanderson, 2002; Diette et al., 2014; Sheridan & Scott, 2010). Fear of the perpetrator impacts quality of life, regardless of how intense the perpetrator's behavior is, and victims describe how they change their way of life by isolating themselves from others but still feel that there is "no place to hide" from the stalker (Korkodeilou, 2017; Logan & Walker,

2017). Moreover, cumulative stressful situations that occur may have a greater impact on quality of life than one single traumatic event, since this interferes with everyday life and causes problems for the victims in many areas (Dressing et al., 2005; Logan & Walker, 2017). Coping strategies are used to handle the stalking situation, and studies have shown that victims across countries in Europe use different strategies to handle their stalking victimization, which could be due to the different nature of these societies and the laws that are enacted (Dressing et al., 2005; Galeazzi, Bucar-Roma, DeFazio, & Groenen, 2009; Kamphuis et al., 2003; Korkodeilou, 2017). However, when handling a stalking situation, there are many similarities across responses that are psychological in character. Strategies for coping with stalking victimization can broadly be categorized into positive and negative strategies (Cupach & Spitzberg, 2000). *Positive coping strategies* are suggested to give the victims a feeling of control over their situation. Such coping strategies can be more proactive, and for example include actions such as changing the daily routine of getting to work, getting a new phone number, moving to another city, or getting a new job (Dressing et al., 2005; Podaná & Imríšková, 2016; Sheridan & Lyndon, 2010). Meanwhile, *negative coping strategies*, such as avoidance and passivity, can lead to a feeling of lack of control over the situation in which the victims perceive that the stalker dictates their life. Negative coping strategies can include actions like staying at home since the victim is too afraid to go out, thus leading to isolation (Korkodeilou, 2017; Podaná & Imríšková, 2016). Sometimes, when feelings of hopelessness takes over the victim's life, psychological damage increases, and depression and post-traumatic stress symptoms can be the result (Kamphuis et al., 2003). In a study of college students who were stalked, the most common coping strategy was to ignore or minimize the problem, or even deny it, which can be problematic since the victim to some extent may blame themselves and remove responsibility for the stalking from the stalker (Amar & Alexey, 2010).

Coping strategies like proactive behavior, avoidance, and passivity have been identified as three strategies used by stalking victims, where female victims choose a proactive strategy more often than male victims (49 vs. 41%), and where male victims choose a more passive approach than females (32 vs. 20%). Furthermore, proactive behavior was also associated with higher levels of fear than avoidance and passivity (Podaná & Imríšková, 2016). However, the pro-active behavior included both positive and negative tactics to handle stalking, including contacting the perpetrator, which is not recommended since that might escalate the stalking (Kropp, Hart, & Lyon, 2008).

Some of these coping strategies, like talking to the stalker in order to make them aware of the problems they cause, might work to calm down the immediate situation, but will not be effective over time. Stalkers in general want to communicate with the victim and can therefore interpret all forms of communication as positive feedback suggesting the victim actually wants to have contact with them. Such coping strategies will in many cases make the situation worse. Another strategy to avoid is posting the name of the stalker on social media; although the intention is to make it stop, it puts fuel to the fire and the stalker might feel that they are the victim, not the other way around. In sum, the "wrong" choice might make the victim even more vulnerable to further violence (Kropp, Hart, & Belfrage, 2008; Logan & Walker, 2010; Sheridan & Roberts, 2012). Victims who become frustrated due to the duration of the stalking and feeling that they are not being helped by society might take "things into their own hands" and try to stop the stalker themselves (Amar & Alexey, 2010). It is important for the victim to bear in mind they should not commit criminal acts toward the stalker, like secretly filming the stalker and posting the video on social media, or harassing the stalker in other ways—believing that it is okay to do so since the stalker was not convicted for similar acts. Therefore, it is important for the criminal justice system as well as society to provide adequate protection and support to victims of stalking, as well as to offer help and treatment for stalkers in order to stop the stalking situation before it escalates and turns into severe violence.

POLICING STALKING

The police are responsible for both investigating crimes committed as well as managing the risk of future crimes, in particular recidivism of violent crimes. When policing stalking, reporting crimes is an absolute necessity in order for the police as well as the rest of the criminal justice system to help victims. In general, few victims of IPV and even fewer stalking victims report crimes to the police, and of these only a few will result in the perpetrators being charged, prosecuted, convicted, and sentenced for their crime (BRÅ, 2014, 2015; Logan & Walker, 2017), particularly in rural areas (Maran & Varetto, 2017). When reporting IPV-related crimes to the police, many victims leave the abusive relationship and IPV then turns into ex-intimate partner stalking, since the victim says no to all forms of contact with their former abusive partner. However, it is a fine line when systematic and repeated IPV turns into stalking and vice versa (Melton, 2007).

For some relationships, it could be both during the time period when the reported crime is under investigation, but not at the same time.

Research shows that one in ten perpetrators in rural areas reported for committing repeated and systematic IPV under the Swedish law of "gross violating of a woman's integrity" were convicted for the crime (Strand, Petersson, Fröberg, & Storey, 2016). Furthermore, the repeated and systematic IPV referred to in this law is considered to be one of the most severe IPV crimes, next to femicide, and the stalking law was built on the same premises as the "gross violating of a woman's integrity" law. Important for the legislators was the fact that stalkers were going to be charged and convicted for stalking, and IPV perpetrators for IPV, even though the behaviors and the crimes committed are very similar; it is the context that has shifted.

The low conviction rates in rural areas are in line with the conviction rates for urban areas (BRÅ, 2019). Why so few perpetrators have been convicted has not yet been established, but lack of resources within the criminal justice system, lack of evidence, as well as lack of cooperation from victims have been reported as possible explanations (BRÅ, 2019). It is a problem that the criminal justice chain is broken, meaning that comparatively few perpetrators are convicted for this type of criminality. If this type of repeated and systematic IPV has been conducted, the likelihood increases that the ex-intimate partner will continue stalking the victim after the breakup of the relationship. The low rates of convictions for IPV-related crimes will then decrease the victim's trust in the criminal justice system and the likelihood of IPV victims reporting stalking crimes will be low.

Policing IPV and stalking is a difficult task per se in urban areas due to a heavy work load with many cases, and in rural areas due to longer distances, fewer police officers on duty, and fewer resources in general to rely upon (i.e., health care and social service institutions). In rural areas this is a huge challenge for the police, since they most often lack police officers specializing in IPV and stalking, as well as having to rely on other agencies that also have limited resources. Other problems that occur in rural areas that interfere with effective police work are as follows: victims do not report crimes to the same extent as in urban areas (Felson, Ackerman, & Gallagher, 2015); when they do report the violence it is generally more severe than in urban areas (Strand & Storey, 2019); and since only three of five victims of IPV cooperate in the recommended safety planning, we do not know if the risk management in itself actually works at all, or if there are other factors that interfere with safety planning (Logan & Walker, 2018). On the other hand, in urban areas the caseload is much higher and even if there are more police officers and there are more protective actions

available, the police have to prioritize and then only have resources to help those at highest risk, leaving cases with moderate risk with little or no risk management (Belfrage & Strand, 2008).

RISK ASSESSMENT AND RISK MANAGEMENT OF STALKING

In Sweden it is mandatory for police to use structured risk assessment methods when assessing risk for IPV and stalking in order to provide the victim with the most effective risk management. Swedish police are at the international forefront when it comes to assessing risk for victims of IPV and stalking (Belfrage & Strand, 2008, 2009, 2012; Peterson & Strand, 2017; Strand, 2015; Strand et al., 2016; Strand & Storey, 2019). When the police in Sweden assess risk for further IPV or stalking, the following instruments are employed: The Brief Spousal Assault Form for the Evaluation of Risk (B-SAFER: Kropp, Hart, & Belfrage, 2010) and Guidelines for Stalking Assessment and Management (SAM: Kropp, Hart, & Lyon, 2008). Both are based on the structured professional judgment (SPJ) model. Both methods aid in decision-making regarding adequate risk management for the perpetrator as well as regarding adequate support and protective actions for the victim. However, police perform structured violence risk management with mixed validity in their results (Belfrage & Strand, 2008, 2012; Svalin, Mellgren, Torstensson Levander, & Levander, 2018), which means that they know how to assess risk for violence, but they have difficulties in translating the results into risk management. A study on risk factors showed that victim vulnerability factors were specifically important for the choice of risk management and for recidivism against the same victim (Belfrage & Strand, 2008, 2009), for both female and male victims (Storey & Strand, 2017). However, the link between risk assessment and risk management is somewhat unclear, which is in line with research on risk assessment and risk management. Viljoen and colleagues (2018) found in their review that risk assessment tools only to some extent help to guide risk management and that this may vary according to profession. Furthermore, the risk management can be said to be neither as efficient nor as structured as it should be. For instance, collaboration both within and between the police and other agencies such as social services is most often required to prevent further victimization, but there is no evidence-based framework or method to promote routines for collaboration on risk management in place. It relies on the police officers on duty and the collaborative network they have within their police district. The subsequent risk

management, which is an absolute necessity for preventing future violence, becomes unstructured and thus varies between police districts, specifically across rurality. This means that victims' safety planning relies upon the police officers' experiences of working with IPV and stalking risk management, rather than on evidenced-based methods. The same holds true for other agencies, such as social services and non-government organizations (NGOs), assessing risk for IPV and stalking. In England and Wales, Multi-Agency Risk Assessment Conferences (MARACs) have been used to coordinate risk assessments; however, the actual link between the assessed risk and how to manage it does not have a structure besides the form of the meeting (Stanley & Humphreys, 2014). There is a need to convert the assessed risk into a management plan.

The majority of recidivism occurs within 12 months of reporting a crime of IPV, which makes it important to conduct risk management immediately after a victim's report (Peterson & Strand, 2017). Risk management should be implemented as soon as possible and the criminal justice system can in this way be seen as a protective action if the perpetrator is convicted. The prevalence rates indicate that society must invest a large amount of resources, in terms of police, social services, health care facilities, protective actions, and criminal justice legal work, to combat such violence. The annual cost of IPV and IPV-related stalking in Sweden is estimated as 3.3 billion SEK (National Board of Health and Welfare, 2006), and 13.5 billion Euros in Europe (EIGE, 2019). IPV and stalking place a major strain on both victims and society, where resources provided to reduce violence show low effect since rates of recidivism in Sweden are found to be as high as 42% of IPV perpetrators and up to 60% of stalking perpetrators in urban and rural areas (Belfrage & Strand, 2012; Peterson & Strand, 2017; Svalin et al., 2018). The costs will therefore continue to increase since the investments do not target the problem accurately. The costs can also be measured on an individual level, to better understand how to reduce costs by using more effective crime preventive methods. For example, the use of civil protective orders in the US have been shown to be very cost effective: for every 1 dollar spent they saved 30.75 dollars in avoided costs related to IPV (Logan, Walker, & Hoyt, 2012).

Consequently, in order to prevent IPV and stalking, the police need to have access to effective protective actions; nevertheless, both access and effect differ owing to rurality. Research on the effectiveness of police risk management is limited (Williams & Stansfield, 2017). Results from a Swedish project on policing stalking showed that several risk management strategies were initiated, namely: contacting social services or a crime victim support center, providing a victim with

an advocate, initiating a no-contact order, performing a safety talk, and more rarely providing a safety phone, or an alarm package, and/or providing shelter. Despite this, 38–60% of the stalkers recidivated into new stalking-related crimes toward the same victim, while recidivism rates for IPV were found to be 19–42%. However, the preventive work that was initiated was not always performed, and risk management was difficult to investigate due to lack of structure and proper documentation (Strand et al., 2016). In fact, Svalin et al. (2018) showed in their work on policing IPV that only 23% of IPV cases within a police district in Sweden implemented any protective actions for the victims. Research also showed that police in remote areas were seven times more likely to have a security talk with the victim than in rural areas, since victims in remote areas know that they have to rely upon their safety planning while waiting for the police to come for rescue if needed (Strand et al., 2016). The importance for the victims to manage their situation by themselves is key for survival since neither the police nor the social services have enough resources to help victims to the extent that they require. The Crime Victim Support Group (Brottofferjouren, BOJ), which is a Swedish NGO, offers support to all victims of crime, and specific support can be given to victims of crimes such as sexual abuse and violent crimes. However, there is no specific support for stalking victims, although the need for a specific support has previously been shown to be high (Korkodeilou, 2017; Logan & Walker, 2017). It is crucial that victim support groups also have routines and guidelines on how to help victims of stalking, since stalking has severe consequences on quality of life for victims and many stalking victims need to manage their risk by themselves (Logan & Walker, 2018). Nevertheless, there is some evidence that individual protective actions can be effective and prevent crimes under special conditions, for example restraining orders (Benitez, McNiel, & Binder, 2010; Strand, 2012) and alarm packages and protected living (Prenzler & Fardell, 2017), but why and when they work has not yet been established. There is a gap in the literature on the effect of risk management strategies and protective actions, and also on the collaboration between multi-agencies, including NGO's, and the choice of risk management and its possible effect on recidivism for victims of IPV and stalking.

When the police receive a report of stalking, they are often dealing with individuals at a high risk of continuing to be stalked, and offering a good risk management strategy for the victims is essential. How victim vulnerability factors, such as fear, affect victims will have a large impact on risk management work. If the victim has low trust in the police due to feelings of being minimized or not believed, this can make the victim less prone to cooperate with police in both the investigation and the risk

management (Kropp et al., 2010; Logan & Walker, 2017, 2018). In a Swedish study on assessed risk for stalking, the risk was found to be moderate or high for 94% of the cases (Strand et al., 2016), and for 65% of the victims, stalking behaviors like "intimidating the victim" were used by the stalker at some point. In order for the police to get the victim to cooperate in their safety planning, they have to understand how fear makes victims less responsive to risk management. If the fear is too overwhelming, negative coping strategies might be used, including becoming paralyzed and not being able to do anything at all, which is exactly what the stalker wants the victim to do (Melton, 2007). By not being able to cope with the fear of the stalker and the situation, the victim's feeling of helplessness can increase. In this way, fear becomes a vulnerability factor that, instead of decreasing the risk of continued stalking, increases the risk (Kropp, Hart, & Lyon, 2008).

COLLABORATION FOR BETTER PROTECTION OF VICTIMS

Overall, risk assessment and risk management are the basis on which the work for protection of victims of threats and violence rests. Violence and threats committed toward a family member or someone that is close to the victim are difficult cases to work with since the relationship between the victim and the perpetrator can be very strong. To prevent further victimization, it is important to understand these difficulties in order to construct the best case-by-case risk management plan with the most effective protective actions. Therefore, policing IPV and stalking is a challenge, particularly in rural areas where the bond to the perpetrator might have larger consequences in the victim's everyday life. Logan and Walker (2017) outline the need for a multidimensional framework for targeting stalking as well as IPV, which needs to be translated into a model of risk management in order to target the problem more effectively.

In light of the above, it can be shown that problems arise when police and other agencies assess the risk from different perspectives, which leads to different levels of case prioritization. To this end, most agencies that work with victims perform some kind of risk assessment, although different forms and separately from each other. Furthermore, the subsequent risk management is unstructured, which includes lack of routines for collaboration and documentation. These shortcomings make it difficult to evaluate the preventive effect since risk management often is done separately rather than in collaboration, which has led to fatal outcomes such as femicide (National Board of Health and Welfare, 2018).

Moreover, many IPV and stalking cases require a collaboration between the police and social services when making decisions and prioritizing what to do in order to protect victims; for example, the police can recommend protected living for the victim, but it is social services who are responsible for this and thus make the final decision. One of the problems in the collaboration between police and social services relates to what information they can or may share, therefore it needs to be translated so that it can be used by both in order to follow laws and regulations. Another problem is that the police and social services have different mandates to decide on the implementation of different protective actions, and it is therefore important that they share a common risk level for the victim. For example, the police can suggest that a protective living arrangement is important in order to protect the victim, while social services might disagree based on their assessment that involves several perspectives other than just the level of risk of being a victim of crime. For example, if the children are not included as part of the risk management, this can lead to fatal violence against both adults and children (National Board of Health and Welfare, 2018). The collaboration becomes problematic if there is no structure and documentation concerning what is done (or not) in each case. If they do not agree on the risk of violence or cannot communicate it, risk management will be made more difficult as adequate protective actions cannot be implemented. The agencies express a need for a common evidence-based working model that can improve their collaboration in IPV and stalking-related cases (National Board of Health and Welfare, 2018; Olsson & Bergman, 2018; Strand et al., 2016). In Sweden, the RISKSAM model has been developed with researchers and academics, which is a structured evidence-based method to use as such a link between agencies, and it will be implemented and validated in the coming years (Strand & Petersson, 2019).

CONCLUSION

There is a need for more knowledge on how to better understand the mechanisms behind stalking and stalking victimization in order to better manage the risk for future stalking and protect the victims (Logan & Walker, 2010). Results from studies conducted with the Swedish police show that the risk for further victimization increases when victim vulnerability factors, such as fear of the perpetrator, for both stalking and IPV are present (Belfrage & Strand, 2009, 2012; Storey & Strand, 2017). In order to reduce further victimization, there is a need for targeted interventions helping stalking victims to cope with their fear.

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14

Hashtag You're It: Limitations of Psycho-Legal Responses to Online Interpersonal Harm

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LAWFUL GOOD: A PROPOSED FRAMEWORK FOR SENTENCING ONLINE HARMFUL BEHAVIORS

There is little doubt that the "online disinhibition effect" prompts a substantial proportion of people to be more reckless in their online communication due to the perception of effective anonymity and remove from the offline world. A simple Google search for "loses job over online post" easily confirms this. That, however, does not justify differences in accountability between online and offline criminal activities. Consistency in the handling of threats not only preserves judicial policy and procedural integrity, but allows for consistency in the victims' rights, avenues, and confidence in reporting crimes regardless of their context.

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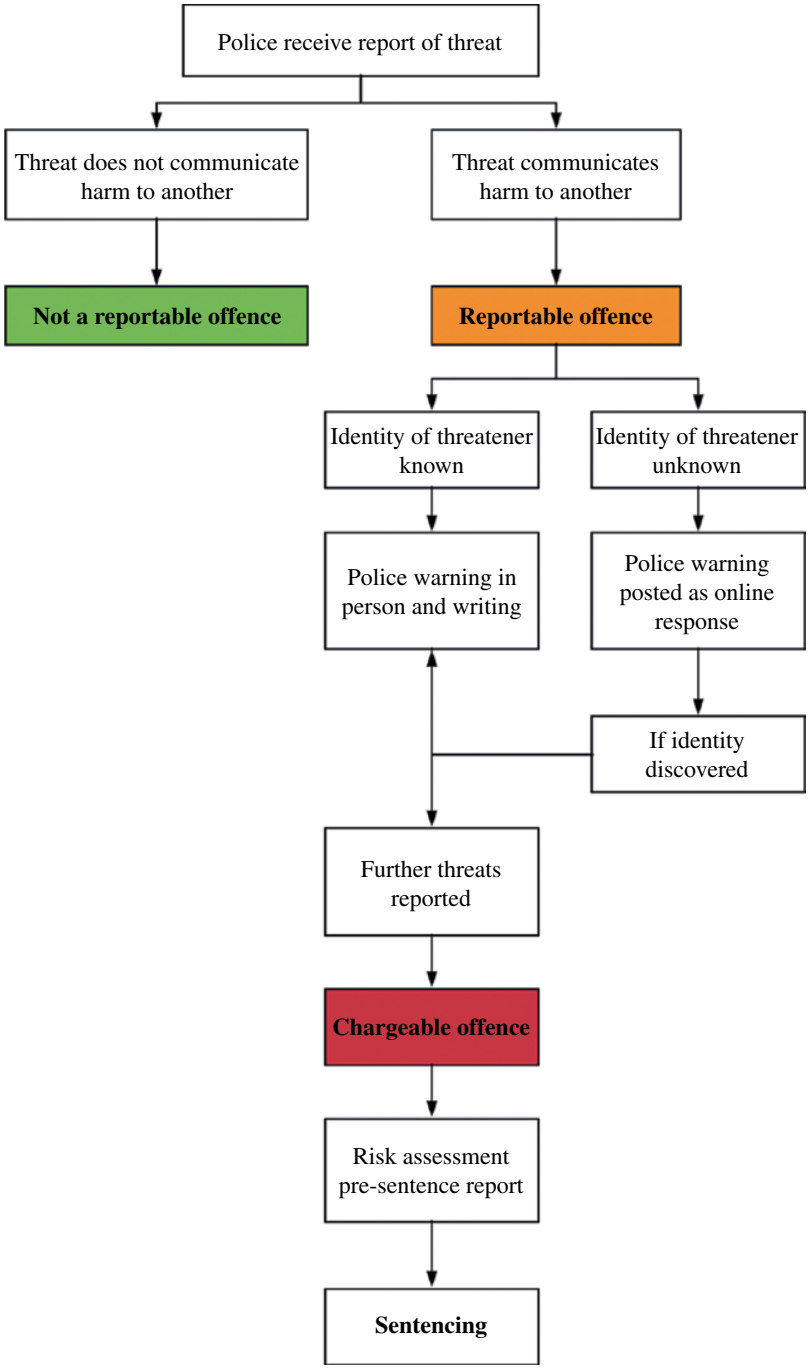
A distinguished American jurist once said, law is "the government of the living by the dead" (Holmes, 2007, p. 138). It is safe to say that the dead, when creating the body of rules to guide human conduct in the United States, did not have Facebook in mind, and consideration was not given to the Tweet-worthy idea that the Supreme Court one day must analyze Eminem lyrics posted on social media to ascertain if an offense had occurred. The law must be updated to reflect the realities of the internet and its associated apps, services, carriers, programs, and culture, and supported by empirical research in the understanding of threateners and their victims. A legal reform that will allow for both autonomy and accountability of online behaviors and maximizing community safety is proposed below.

Enacting separate legislation or offenses for online threats implies that the act of threatening and its impact are fundamentally different when carried out in a digital space. While it is undeniable that technology has expanded the forms and avenues of threatening behaviors, the offense under law should emphasize the conduct and state of mind of the offender and target, not the technology used to carry out the act (Sullivan, 2002). The Australian Law Reform Commission has made a promising start with a proposal (14-1) for enactment of a Commonwealth Harassment Act that consolidates and unifies all existing criminal offenses for harassment (Australian Law Reform Commission, 2015). This chapter further proposes that law should default to the victim's jurisdiction, without regard to the location of the threatener. Uniform legislation for threats to kill or harm is congruent with the problem behavior model, which favors a reductionist approach ensuring that people who engage in problem behaviors are not excluded from treatment due to the context of their conduct or a lack of a mental health diagnosis (Warren, MacKenzie, Mullen, & Ogloff, 2005). If legislation considers all threats to kill or harm as an offense, regardless of intent or likelihood of violence, then all threateners and their victims can benefit from legal intervention.

In keeping with the sentencing principle of proportionality, and to ensure sustainability under the likely influx of threat reports, a flowchart for execution of this proposed law reform is illustrated below.


Police receive report of threat
Threat does not communicate harm to another
Threat communicates harm to another
Not a reportable offence
Reportable offence
Identity of threatener known
Identity of threatener unknown
Police warning in person and writing
Police warning posted as online response
If identity discovered
Further threats reported
Chargeable offence
Risk assessment pre-sentence report
Sentencing

For a first verified report of threatening behavior, a low-level sanction of a police warning, which has a similar function to an interim intervention order, may suffice in deterring further threats without overtaxing police resources. Repeated and substantiated reports of threats become a chargeable offense. Forensic psychological reports assessing the threateners' risk for violence, persistence, and recurrence, and the risk of psychological harm to their victims, should guide sentencing. This allows for a sentence, if warranted, to incorporate sanctions that target rehabilitation and minimizing risk escalation.

OLD DOS, NEW TRICKS

The internet is first and foremost a communication technology. It allows people to connect, collaborate, commiserate, celebrate, and form relationships that meet individual and group needs. The rewards of participating in social media align with the principles of Self-Determination Theory (Deci & Ryan, 1985) which proposes that human behavior is largely motivated by three basic needs: autonomy, competence, and relatedness. Social media affords users autonomy in controlling their online identity and choosing their own representation in the community. Competence – the need to be effective in dealing with our environment – is supported by user-friendly platforms allowing personal achievements and milestones to receive fast recognition and approval from peers. Finally, social media provides an environment that promotes rapid, truncated, and intense relationship-building, fulfilling Deci and Ryan's trifecta of needs.

Despite these radical alterations to the way we connect and create relationships, communication technology itself has not wrought fundamental changes to human cognition and behavior. Just as lifelong friendships and committed romantic partnerships may be commenced online, relationships may also turn sour: trust is broken, agendas clash, and previously good relationships end in animosity or regret. When these grievances turn to stalking and targeted harassment, the internet provides attackers with a wide and rapid range of offensive and defensive tools to maximize distress to targets and protect themselves from apprehension or prosecution.

ZEROES VERSUS ONE: HOW PEOPLE BEHAVE BADLY ONLINE

Types of abuse that are mediated, facilitated, and primarily amplified by the availability of online tools and media that result in psychological, physical, or social harm to the target, fall under the category of "online interpersonal harm." Harmful online communication can be direct (e.g. emails, private messages, responses to social media posts) or indirect (e.g. public forums, message boards, via third parties).

Common Types of Online Harmful Behaviors	
Stalking	Persistent, unwanted contact or surveillance that causes the target to fear harm, exposure, or intrusion
Crowdsourced attacks	Harassment from hate groups, twitter mobs, Reddit/forum brigading
Image-based abuse	Revenge porn sites, pressure to send nude photos, images given with consent but later used for blackmail, and so on.
Swatting	False report of critical incidents (e.g. armed threat) to police or security services with intention of target being harmed by attending personnel
Doxxing	Publication and circulation of private and personal information, such as name, residence, financial, or material considered compromising or embarrassing
Trolling	Deliberate provocation, rudeness, baiting, and disruptiveness

With the exception of trolling, which is primarily anti-social and sadistic behavior intended to elicit strong reactions from non-specific strangers (Buckels, Trapnell, & Paulhus, 2014; Sest & March, 2017), most online harmful behaviors conform to established patterns of stalking behavior, and are motivated by the desire for power or revenge over a target for perceived wrongdoing.

MASS EFFECT: WHEN PEOPLE BEHAVE BADLY TOGETHER ONLINE

Life online is rarely a solo activity. Most users of the internet join and participate in communities that represent their leisure, professional, or political interests. Some of these communities – such as ideological factions – are in competition and conflict with other communities by default. Other groups may schism and become toxic or combative for a wide range of reasons, from personal vendettas, to parochial power struggles, to commercial disputes, to deliberate derailment by entryism (a political strategy where members of one organization join another with the intention of expanding the agenda of the former) or simple trolling.

Other groups still are established for the purpose of targeting, undermining, and attacking an identified foe. News media, in particular, prefer to focus on these types of novel and sinister actors: groups such as Anonymous, Russian state hackers and propagandists, hate groups, and terrorist organizations. Although not the focus of this chapter, a brief overview of such groups is summarized in the matrix below.

Grievance-Fueled and Ideologically-Motivated Online Communities					
Community	Gamers	MRA/Red Pill/Incel	Political Extremism/ Alt-Right	Sovereign Citizens	Conspiracy Theorists
Cause/focus	Video game competition & industry	Feminism & gender issues	Ideological & authoritarian goals	Legal exceptionalism, individual rights	State secrets, hidden cabals, grand plots
Forms of online harm	Doxxing, swatting, trolling	Threats, doxing, stalking, (inciting) sexual harm	Doxxing, threats, stalking, physical harm	Fixated threats, vexatious querulants, stalking, physical harm	Threats, stalking, doxxing, terrorism
Prominent online cases	Death of Andrew Finch, 2017	Roosh v Visa Cancelation, 2016 (Australia)	Subreddit shutdown, 2017	Malcolm Roberts, 2011; John Wilson, 1997, 2006, 2009 (Australia)	9/11 & Sandy Hook truthers
Offline harm	Multiple swatting deaths	Isla Vista, 2017	Anders Breivik, 2011; death of Heather Heyer, 2017	John Wilson again; numerous attacks in US	Pizzagate attack, 2016
Crossover cases	Gamergate, 2013; Anita Sarkeesian, 2012–current			Malheur Refuge siege, 2016	
False positives	Battlefront II death threats, 2017				

While these groups are threatening and certainly dangerous, online harm is overall more prosaic and predictable: ex-partners constitute the majority of stalkers and attackers, using modern tools to pursue former wives and girlfriends (as offline, the majority are overwhelmingly male). Existing evidence suggests, however, that the medium itself affects communication, predisposing individuals to lower empathy, rapid escalation to antisocial behavior, and adoption of group identities with antisocial traits (Suler, 2004; Uhls et al., 2014; (Carrier, Spradlin, Bunce, & Rosen, 2015; Lozada & Tynes, 2017). These factors must inform assessment and management.

INVISIBLE AND INDIVISIBLE: WHY PEOPLE BEHAVE BADLY ONLINE

The internet has not radically altered human cognition and behavior. People target each other online for the same reasons that have been in play for millennia: anger, revenge, delusional fixation, personal gain, and seeking fulfillment of personal needs in maladaptive ways. The medium and culture of the internet, however, have made it normal to publish personal information, and multiplied the avenues of communication between individuals, while drastically increasing the number, extent, and contexts of our relationships and encounters with other people. A modern internet user is therefore exposed, easily identified, and usually contactable by anyone with an internet connection. Due simply to that exposure, any internet user is at greater risk of victimization than someone without an online presence.

The disinhibiting effects of anonymity and group membership have been under examination for more than a century. Le Bon (1895) wrote that "the most savage members of the [revolutionary crowd] were to be found inoffensive citizens who, under ordinary circumstances, would have been peaceable notaries or virtuous magistrates," while the classic experiments of Zimbardo (1969, 1971) recorded abuses and dehumanizing behavior linked to anonymization of participants.

The limitations of text-based online communication were recognized as early as 1982, when Professor Scott Fahlmann sought to limit conflict on an early bulletin board by posting to the group, "I propose that the following character sequence for joke markers: :-)," and in the internet adage Poe's Law (2005), which states that "Without a winking smiley or other blatant display of humor, it is utterly impossible to parody a Creationist in such a way that someone won't mistake for the genuine article." In fact, examples of ur-emojis can be seen as far back as the 1850s, used by Morse operators as shorthand to lighten the tone of staccato text.

The Hyperpersonal Model (Walther, 1996) tackles these factors by proposing cyberspace as an exceptional communication platform that allows individuals to tailor their identity and communication in ways not possible before the advent of the internet, while simultaneously supporting idealization of the identity and communications of others (for example in online dating). Through this lens, antisocial behavior on the internet is a product of individual efforts to issue communications shaped for specific audiences, including provocative or offensive content.

Arguably the most compelling, and, conveniently, most recent, theory of online antisocial behavior is the Online Disinhibition Effect (Suler, 2004), in which factors such as anonymity ("you don't know me"), invisibility ("you don't see me"), and asynchronicity ("see you later"), provide an extraordinary sense of unaccountability and authority in individuals that provides self-granted permission to behave cruelly to others.

While these theories seek to explain facets of online human psychology that motivates, justifies, and validates harmful behavior, ultimately, one of the main reasons for such wide-scale and seemingly normalized internet-mediated victimization is that attackers are rarely held accountable for their actions. In an environment where power dynamics are tipped toward those who are motivated to misuse technology, and where law and psychology are consistently outpaced by technology, bad behavior holds no consequences. In 1993, *The New Yorker* published a now-classic cartoon by Peter Steiner, featuring two dogs using a computer and commenting, "On the internet, nobody knows you're a dog." On the internet today, nobody knows you're a stalker.

IF A TREE FALLS IN CYBERSPACE: ACCOUNTABILITY FOR ONLINE HARM

If a threat is issued in cyberspace and no harm is actually intended, is it a criminal act? Historically, the Australian justice system has been consistent and confident in assessing threats with regard to intent to harm, or recklessness in inciting fear in victims, and issued judicial sentences accordingly. By comparison, the law is less certain when the same threats are expressed online, and appears to waver, vary, or diminish its valuation and sentencing when dealing with cyberspace.

In the American legal system, this quandary has been highlighted in *Elonis vs. United States*, brought before the Supreme Court of the United States (SCOTUS) in July 2015 (SCOTUSblog, 2015), which

demonstrates the challenges faced by legal systems in keeping pace with the rapid evolution of human behavior and communication online. Through 2010, Anthony Elonis of Pennsylvania published a series of Facebook posts under the rap music persona "Tone Dougie," which contained lengthy tirades assembled from the lyrics of popular rap artist, Eminem. The lyrics selected by Elonis expressed sexualized threats and fantasies of violence toward Eminem's wife, which Elonis' estranged wife perceived as threats toward herself, and became the basis of the criminal charges against Elonis. One of the posts read:

> There's one way to love you but a thousand ways to kill you. I'm not going to rest until your body is a mess, soaked in blood and dying from all the little cuts. Hurry up and die, bitch, so I can bust this nut all over your corpse from atop your shallow grave.

Further posts – including threats of school shootings – were serious enough to prompt FBI involvement (Knibbs, 2015).

While Elonis claimed that his posts were innocuous expressions of frustration, with no intent to harm, and protected under the free speech provisions of the US constitution, he was convicted under federal legislation [18 USC 875 (c)] that criminalizes communication of any threat to injure another person. He was subsequently sentenced to 44 months confinement (Liptak, 2014). In support of the judgment, a brief to the court provided by the US Justice Department stated that requiring proof of intent would "undermine the law's protective purpose" as, regardless of the threatener's intention, the comments had traumatic consequences for the target (Cbsnews.com, 2015).

Controversially, in June 2015, SCOTUS agreed to review Elonis' conviction, citing *Virginia vs. Black,* a 2003 case in which SCOTUS ruled that the act of burning a cross does not necessarily prove intent to intimidate others (*Virginia vs. Black*, 2003). Although the law made no distinction between threats on the internet and threats via any other medium, SCOTUS ruled in Elonis' favor and reversed his conviction (SCOTUSblog, 2015). In his judgment, Chief Justice Roberts stated that a criminal conviction required "more than consideration of how the posts would be understood by a reasonable person" and that prosecutors must prove Elonis' intent and awareness of wrongdoing (Liptak, 2015). In a dissenting opinion, Justice Thomas (2015) pointed to inconsistencies in the legal treatment of offline versus online threats:

> Not only does such a decision warp our traditional approach to mens rea, it results in an arbitrary distinction between threats and other forms of unprotected speech. Had Elonis mailed obscene materials to his wife and a kindergarten class, he could have been prosecuted irrespective of

> whether he intended to offend those recipients or recklessly disregarded that possibility. Yet when he threatened to kill his wife and a kindergarten class, his intent to terrify those recipients (or reckless disregard of that risk) suddenly becomes highly relevant. That need not—and should not—be the case.
>
> (p. 19)

MURDER, SHE POSTED: LEGALITY OF ONLINE THREATS

In Australia, the Criminal Law Consolidation Act (SA) s19 (3), defines a threat as "any communication indicating an intention to do harm. It can be communicated directly or indirectly by words (whether written or spoken) or by conduct, or a combination of both." Under the Act, in order to constitute a threat, an accused threatener must intend to cause fear, or understand that the words or actions comprising the threat would be fear-inducing to a reasonable person.

The Crimes Act 1958, meanwhile, categorizes threats under Offenses Against the Person into two subtypes: threats to kill (s20) and threats to inflict serious injury (s21). To prosecute, it must be proven beyond reasonable doubt that: (a) a threat is made by the accused to kill or inflict serious injury; (b) the accused intended to cause fear, or recklessly disregarded the complainant's concern that the threat was credible; and (c) the threat was made without lawful excuse.

In considering intention, it is not necessary for the accused to have intended to act on the threat; rather, it must be proven that the threatener intended the complainant to believe the threat was credible, regardless of the motivation to threaten. It is not sufficient that a jury or reasonable person would have recognized that the threat would cause fear; the accused must have known the likelihood of the complainant's fear. To be considered an offense, threats must also be made without lawful excuse (self-defense and crime prevention are common justification of lawful excuses). Furthermore, the accused may justifiably make a threat in circumstances where it would not be reasonable to carry the threat out (Judicial College Criminal Charge Book, n.d.).

Online threats would, *prima facie,* be covered under threat-to-kill and threat-to-inflict serious-injury charges as they: (a) meet the legal definition of threats; (b) meet the criteria of being direct or indirect written communication; and (c) no separate charges pertaining to online threats exist in the Crimes Act. In practice, however, online threats may complicate law enforcement and prosecution should the accused use the nature of the online medium as a justification of lawful excuse by claiming that an online threat could not reasonably be carried out, and that they could not have known beyond reasonable doubt

that threats via online media would cause the complainant as much fear as a threat made otherwise.

Perhaps acknowledging the gap in legal understanding of online criminal behaviors, Australian Law has attempted to address threats in the cyber realm by including them in other statutes, namely stalking legislation in the Crimes Act 1958 s21A in Victoria and the general offenses relating to use of telecommunications in the Commonwealth Criminal Code Act 1995 Subdivision C. Stalking legislation was amended in 2003 by the Crimes Act 1958 to include acts of cyberstalking and to remove the requirement of proving an effect of the conduct upon the victim (Judicial College Criminal Charge Book, n.d.).

Online threats in the context of cyberstalking (defined as the persistent use of the internet, email, social networks, instant messaging, or related digital devices to annoy, harass, or threaten) can be difficult to prosecute as at least two instances of the behavior must be proven, and the victim and perpetrator may reside in separate jurisdictions and therefore not be subject to the same laws (Quarmby, 2015). Moreover, tech-proficient online threateners have access to a wide and ever-changing array of technical tools that assist them in staying ahead of law enforcement and in removing or denying evidence of criminal conduct, further complicating standards of evidence and reasonable doubt.

The Commonwealth Criminal Code Act 1995, Section 474.17 makes it an offense to "use a carriage service in a way (whether by the method of use or the content of a communication, or both) that reasonable persons would regard as being, in all circumstances, menacing, harassing, or offensive." Section 474.15 of this Act provides redress against more aggressive actions, making it an offense to use a carriage service to threaten to cause serious harm, or to kill. While prosecution for this offense does not require the target to experience fear, it must still be proven beyond reasonable doubt that the accused intended the victim to fear execution of the threatened act (Commonwealth Law Criminal Code Act 1995, 2015).

FUZZY LOGIC: ANALYSIS OF PSYCHOLOGICAL ASSUMPTIONS MADE IN CYBERTHREAT LAW

Just as the legal community has faced challenges in producing widely accepted definitions and approaches to threats, Meloy (1996) has argued that psychological research in this area has, too, been hampered by a lack of consensus in definition. Within psychology, the broadest and most basic definition of a threat (congruent with the legal

definition) is "an utterance which content implies an intention to do harm" (Warren, Mullen, & McEwan, 2013). As in law, the field of psychology has lagged behind in its examination of cyberoffending behaviors. Research regarding online threats specifically is lacking: threats are more frequently studied in the context of cyberstalking and cyberbullying. However, unlike the judicial focus on the threatener's intent to cause fear, psychologists have focused research efforts on exploring threateners' typologies, motivations, risk of violence, and the impact of online victimization.

Based on the body of psychological knowledge concerning threateners and their victims, the following assumptions made in threat legislation are particularly problematic, and often leave victims of online victimization without legal recourse:

- Judicial capacity to assess a threatener's intent, and estimation of probable target fear.
- Fear as a valid measure of threat legitimacy.
- Intent to cause fear as the primary risk factor precipitating intervention.
- Comparative seriousness of online versus non-online threats.
- Comparative seriousness of online versus non-online victimization.

CAPACITY TO ASSESS FOR INTENT, AND ESTIMATION OF PROBABLE FEAR

The assumption that juries will faultlessly determine what is "beyond reasonable doubt" is known to be fraught with issues (Magnussen, Eilertsen, Teigen, & Wessel, 2013). To secure a conviction, prosecutors must prove that the threatener intended to cause fear or knew that their conduct would be fear-inducing. This assumes it is possible for lawyers, judges, and juries to assess beyond reasonable doubt a person's intent and knowledge – a feat impossible under current conditions.

Recent progress has been made within the field of behavioral threat assessment and management – a cousin to forensic psychology devoted to the study of problem behaviors – in refining assessment methods for predicting risk of violence, persistence, and recidivism in people who engage in harmful behaviors (Meloy, Hart, & Hoffmann, 2014). However, these assessments are based on structured professional judgments (Webster, Haque, & Hucker, 2013) by experts with access to comprehensive psychological data – resources not available to most juries or judicial officers in the absence of expert forensic evaluations of a

defendant. Further, it is commonly assumed that law enforcement and legal agencies have the expertise and experience required to decide what constitutes intent to cause fear, or recognize fear-inducing behaviors, in the cybersphere. A column by three law professors in response to the *Elonis vs. United States* verdict highlighted the fallacy in this assumption:

> Information posted to social media sites is often disseminated and displayed in ways that users do not control or even understand, profoundly complicating attempts to determine a person's intent in posting something or a "reasonable" person's interpretation of it. Context becomes further complicated when a so-called threat is a lyric from a musical genre that often privileges highly exaggerated, confrontational, and violent rhetoric.
>
> (Calvert, Nielson, & Kubrin, 2014)

The law's emphasis on the threatener's intent to cause fear comes with a threefold assumption: (a) that fear is the only outcome of importance in determining wrongdoing; (b) that fear is a valid measure of a threat's legitimacy; and (c) that fear is necessary for a threat to be deemed "real." It is noteworthy that no other offense against a person in the Crimes Act 1958 requires intent to be proven before an offense can be charged. For example, an armed robber does not need to have knowledge of a victim's fear in order to be charged. Assault with intent to rape (s40) presents some requirement, but even without evidence of intent the perpetrator will still face assault charges. Victorian stalking legislation has since 2003 removed the requirement to demonstrate intent, further raising the question of why victims of online threats still require perpetrators to demonstrate intent to cause fear before police and forensic intervention can be sought.

Responsibility for assessing targets' fear often lies with police officers, who are the first responders to reports of threats. Unsurprisingly, evidence suggests police are more likely to act if they understand why a threat would be perceived as fear-inducing in its context (Warren et al., 2013). For example, if a male target reports a threat issued by a female on Twitter, police first need to understand social media platforms and the complexities of online relationship dynamics, then overcome known gender bias (Lockwood & Prohaska, 2015), in order to decide fairly if the threat qualifies as a reportable crime. For a conviction, the court must reach the same conclusion. Research indicates that the willingness of police and laypeople to assist victims of intimate partner violence increases significantly when both groups identify with the victims (Baldry & Pagliaro, 2014). This dynamic likely contributes to dismissive responses from law enforcement and juries to online

threats if they are not familiar with the underbelly of the cyberworld. Using fear as a measure of threat legitimacy leaves the victims' safety in the hands of police, law authorities, and juries, who are relying on non-professional judgment and personal biases (Riger, Foster-Fishman, Nelson-Kuna, & Curran, 1995), to determine if a threat is "real."

The strong emphasis on fear inducement as a measure of criminality is peculiar and does not encompass the complexity and variables of threatening behaviors. Social psychologists have been exploring the interpersonal elements of threats and threateners since the early 1980s, and findings point to four primary intents for threats: to communicate (a) anger; (b) a desire for attention; (c) current state of mind; and (d) hostile intentions (Felson & Tedeschi, 1993; Milburn & Watman, 1981; Warren et al., 2013). Warren et al. (2013) have developed a typology of threats based on motivation and function, relating to the likely degree of the threateners' commitment to act on the threat. They propose the following five types of threateners and respective motivations:

- Screamers (intention to vent)
- Shockers (intention to frighten)
- Shielders (intention to scare off)
- Schemers (intention to pressure)
- Signalers (intention to warn).

Per Warren et al. (2013), Shockers, Schemers, and Signalers are more likely to act on threats, but all are motivated by different intents. While typologies can be helpful in conceptualizing the problem behavior, in practice they often overlap, and a threatener's typology will present according to changes in situational and interpersonal variables. Online communication, lacking non-verbal cues and often riddled with internet speak, memes, and emoticons, adds a further challenge to professionals' capacity to confidently assess the threateners' true motivations. The strong emphasis in sentencing on fear-inducing intent therefore obscures or diverts investigators and prosecutors from other reasons a person may threaten, many of which, while not meeting the current sentencing requirements of "real threats," may lead to dire consequences for victims. Stalking research supports that many stalkers who threaten do not always intend to cause a fear, but rather are misguided in their attempts to establish, rekindle, or avenge their relationships with their targets (Mullen, Pathé, & Purcell, 2009). The stalkers' lack of intent to cause fear, however, does not diminish the reality of the harassment and is no less damaging for the target's wellbeing.

A threatener cannot be sentenced without prosecutorial evidence of intention to induce fear or recklessness in the decision to issue the

threat. In light of the five sentencing purposes detailed in Section 5(1) of the Sentencing Act 1991, the requirement for a "real threat" to be demonstrated assumes that only an intent to cause fear warrants (a) community protection; (b) punishment; (c) deterrence; (d) rehabilitation; or (e) denunciation of the conduct (The Sentencing Advisory Council, 2015).

While the field of psychology has not been burdened with responsibilities of punishment and denunciation, it shares the three goals of deterrence and rehabilitation of threateners, and of protecting the community from their damaging communications. When deciding on the scale and type of intervention required in meeting these three goals, psychologists rely on structured professional judgments and risk assessment tools that have been empirically validated in predicting the likelihood of an individual carrying out a threat. Unfortunately, tools designed specifically to assess for risk of violence in threatening online behaviors do not yet exist. However, a number of widely used and well-researched tools are already available, and applicable to assessment of problem behaviors that often feature threats. These include the Historical–Clinical–Risk Management-20 (HCR-20), Stalking Risk Profile (SRP), and Structured Assessment of Violent Risk in Youth (SAVRY) (Borum, Bartel, & Forth, 2006; Douglas et al., 2014; McEwan, Pathé, & Ogloff, 2011). While the intent to cause fear is a risk factor taken into consideration in violence risk assessments, it is by no means the only or most important one. Indeed, intent to cause fear does not even feature in the "Central Eight" framework proposed by Andrews and Bonta (2006) which lists the eight factors most predictive of criminal reoffending. The statutory requirement of intent as a fundamental consideration for legal intervention thus excludes a myriad of more significant risk factors, and potentially hamstrings the justice system in efforts to deter or rehabilitate threateners and protect the community from threats.

ONLINE THREATS, OFFLINE HARM

Treating online threats differently from threats issued via other methods assumes that threats delivered online are less likely to culminate in action. This assumption possibly stems from the perception that physical proximity to a target makes physical violence more convenient and feasible for the threatener. Multiple studies have undermined this assumption, finding no correlation between target–threatener physical proximity and elevated risk of physical harm to the victims

(Calhoun & Weston, 2003; Meloy & Gothard, 1995; Mullen et al., 2009). Without evidence that threats delivered via non-digital means are more likely to be enacted, it would be wise to assume that all threats carry a similar level of risk (Warren et al., 2013), especially considering empirical evidence has indicated that approximately 20–44% of uttered threats to kill result in subsequent physical violence (Warren, Mullen, & Ogloff, 2011; Warren, Mullen, Thomas, Ogloff, & Burgess, 2008).

Online communication is rapidly becoming the primary format of discussion, interaction, and education for citizens of the developed world, and underestimating the seriousness of online behaviors has potentially calamitous consequences on community safety. Several high-profile examples already exist. George Sodini, Elliot Rodger, and Chris Mercer all posted threatening content on the internet shortly before carrying out mass murders (Beekman, 2014; Gilbert, 2015; Potter, Cuomo, & Ferran, 2009). Media coverage in all three cases highlights the fact that their threats were witnessed by large numbers of people but were not treated with seriousness due to the online format – a sentiment and conundrum apparent in the legal system. In response to the SCOTUS reversal of Elonis' conviction, domestic violence and women's rights groups are urging the judiciary and law enforcement agencies to develop a more sophisticated understanding of how threats and threateners operate through the media of modern technology, toward an awareness that a Tweet or YouTube post can have as much impact as hate speech at a rally or a cross burnt on a lawn (Lithwick, 2014).

Research in cyberharassment, bullying, and stalking has confirmed the contribution of the "online disinhibition effect" (Suler, 2004), and of moral disengagement, to subsequent online aggression, including some evidence of an overlap between online aggression and face-to-face aggression (Renati, Berrone, & Zanetti, 2012; Runions & Bak, 2015; Wright, 2013). A key factor identified is that threateners perceive the online environment as an arena where real-world rules and norms do not apply, bolstering their perception that online acts cannot be directly or easily connected to their real lives, thus freeing them of responsibility for online behaviors. Minimization of the seriousness of online threats by the legal system risks validating this belief and thereby perpetuating a hostile environment where victims of cyberviolence have limited recourse and agency (Ritter, 2013).

Although community protection is listed as one of the five purposes for sentencing, an absence of consideration for the victim's perception, reactions, and vulnerabilities excludes threatening – unlike stalking – from being a victim-defined crime (Mullen et al., 2009). This invisibility of the victims' experience in qualifying a "real threat," and

the inconsistency in sentencing online versus offline threats, assume that: (a) a threatener's lack of intent to cause fear buffers the target from victimization; (b) "serious injury" is better defined by a jury than a victim; and (c) victimization from behind a keyboard is less serious than victimization otherwise.

Regrettably, there is no research comparing online and offline victimization to challenge or support the aforementioned assumptions. However, research concerning victimization related to cyberbullying and cyberstalking can shed some light on the experience of victims. From a 2014 survey conducted by the Pew Research Center on 2849 web users, 40% of adult and 65% of adolescent internet users reported some form of online harassment. Of those, 16% of adults and 28% of youths reported threats of physical harm; 78% of participants who indicated at least one instance of online harassment also reported that they found the experience upsetting (Pew Research Center—Internet, Science, & Tech, 2015). Cybervictimization has also been connected to poorer psychological outcomes in adolescents (Cappadocia, Craig, & Pepler, 2013; Goerzig & Machackova, 2015; Kowalski, Giumetti, Schroeder, & Lattanner, 2014), who make up a large and vulnerable percentage of internet users. Dreßing, Bailer, Anders, Wagner, and Gallas (2014) conducted a large-scale study of online social networks, with 6379 participants, to assess the prevalence of cyberstalking and its impact on victims. Of the respondents who experienced cyberstalking, only 2.5% reported no symptoms of psychological distress. The remaining 97.5% reported "feelings of inner unrest," distrust of others, sleep disturbances, depression, panic attacks, and physical symptoms (e.g. headaches, upset stomach) – symptoms often seen in victims of offline stalking (Mullen et al., 2009; Sheridan & Grant, 2007).

Often overlooked in the context of online interactions is the power differential between threateners and their targets. Without an informed understanding of online social dynamics, it can be tempting to dismiss online threats as a problem that will simply go away if the target turns off their computer. Disparities in technological skill, whereby a perpetrator has the upper hand, can lead to a victim feeling powerless in defending themselves against the threatener's online actions (Vandebosch & Van Cleemput, 2008). The internet is often successfully misused by tech-savvy threateners to incorporate intimate and private information about their targets into threats, which is potentially more invasive and chilling than being threatened verbally. Other factors adding to a threatener's perceived or actual power include (a) victims feeling a lack of control over dissemination of content, with the aggressor able to broadcast threatening or humiliating material to a wide and anonymous audience; (b) threateners' anonymity, with

victims having little or no capacity to identify an aggressor hiding behind pseudonyms and obscure email addresses; and (c) having limited capacity to defend themselves against a potentially infinite online audience and the bandwagon effect of additional aggressors from the online audience joining the persecution (Langos, 2012). In a poll about the impact of different kinds of sexual harassment, participants indicated that online harassment was the most distressing precisely because "the absence of cues about attackers led participants to fear the worst" (Biber, Doverspike, Baznik, Cober, & Ritter, 2002).

Research data also suggest that legal assumptions downplaying the seriousness of online victimization may have inadvertently led to victims of threats becoming threateners themselves. In searching for the mechanisms that explain cyberaggression, psychologists have proposed the "general strain theory" (Agnew & White, 1992), which offers that victimization can serve as a source of strain resulting in maladaptive, aggressive coping strategies (Hinduja & Patchin, 2007). Wright and Li (2012) found that victimization in an online context contributed significantly to victims' use of cyber-displaced aggression, in which distress resulting from inability or unwillingness to retaliate against an online aggressor manifested as cyberaggression toward other innocent parties, as a coping mechanism. If barriers to equal judicial treatment of online and offline victimization remain, the legal system may unwittingly increase instances of threatening behaviors online as victims become perpetrators out of a desire for justice and to maintain their wellbeing, without the support of the law.

TO KILL A MOCKING TWEET

The battle to recognize the legitimacy of online harassment is now longstanding. With online threats preceding an increasing number of tragedies, it is not sustainable nor defensible to view the internet as "an anarchic Wild West, where those who venture online must be thick-skinned enough to endure all manner of verbal assault in the name of free speech protection, no matter how distasteful or abusive" (Citron, 2014). The classic judicial argument that one cannot yell "Fire!" in a crowded theater and avoid legal ramifications (Valenti, 2014) holds true in the internet era. It is now time for the law to recognize that social media and the internet have created history's most crowded theater: an international space filled with billions of individual voices, where a threat, regardless of intent or context, illustrated with words, images, or emoticons, is still a threat, and legal precedent must be leveraged to provide equal justice and protection for everyone in that space.

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15

Stop Stalking—But How?

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INTRODUCTION

This chapter focuses on community-based counseling of stalking offenders. Generally, the counseling and treatment of stalkers remains a challenging field for those professionals dealing with stalking cases. Expertise is being generated in several parts of the globe, mainly in Australia, the USA, Great Britain, Germany, and Denmark, within different settings (Boon & Sheridan, 2002; Bruns, 2014; Hille, Siepelmeyer, Gladow, Jankowski, & Ortiz-Müller, 2017; MacKenzie & James, 2011; McEwan, MacKenzie, & McCarthy, 2014; Rosenfeld et al., 2007). One challenge arises from the fact that there is no such thing as "the stalker." Stalking has in each case a very personal character depending on the situation, and on the personality and coping mechanisms of its target. For this reason, one can hardly speak about one more or less unified treatment method for people who stalk. Another challenge for professionals dealing with stalkers centers on the difficulty in involving stalkers in any kind of treatment, as they either do not show any insight into the destructiveness of their behavior or the stalking has such high functionality for their psyche that they do not show any motivation or stamina to change.

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The work of Stop-Stalking is one example of how counseling work with stalkers can be organized at the community level in a European metropolis. Stop-Stalking was founded in April 2008 as an affiliate body of the crisis management service KUB e.V. (a non-governmental organization) offering psychological assistance and advice to people in personal crises. Stop-Stalking opened its doors in response to the German stalking law adopted in 2007, providing a support service only for stalking offenders with the idea that working with the stalker constitutes in itself the best form of victim protection. The primary goal of counseling is to intervene in stalking cases and set a clear limit to stalking as a form of violence leading to detrimental consequences for stalking victims. The secondary goal is to arrange for appropriate psychosocial and psychotherapeutic measures that lead to prevention of stalking persistence and recurrence. Stop-Stalking offers social, psychological, and psychotherapeutic counseling. In the past 10 years over 1000 stalkers have been counseled. Since January 2014, Stop-Stalking has also provided counseling to stalking victims, with around 500 clients each year. The work of the center is financed by the federal state of Berlin and the service is free of charge for the clients.

Stalkers find their way to the counseling center via several different paths. Stop-Stalking is known in the city and is embedded into a network of other professionals dealing with stalking, such as the police (including the prevention department and the individual high risk department, both parts of the Berlin federal criminal service, and the coordinators for domestic violence and stalking in each of the six police directorates of the city), public prosecution, youth welfare offices, family courts, probation services, victim support and counseling centers for immigrants and refugees, women's advice centers, the outpatient clinics for protection against violence, psychiatric and psychotherapeutic hospitals. Each year the center has up to 40% self-referrals, most of them attending on the recommendation of the above-mentioned network partners. A number of clients are referred to Stop-Stalking by the public prosecutor. Section 153a of the German Code of Criminal Procedure provides that in some cases criminal proceedings can be provisionally terminated on the condition that the stalkers undergo a course of psychosocial counseling. Some stalkers are referred from the criminal and family courts as part of court sanctions or conditions of probation. The stalkers who are serving sentences can also receive external psychotherapeutic counseling, with Stop-Stalking counselors visiting them in prison. By allowing so many different contact routes, the community service facilitates quick and

low-threshold access of stalkers to initial assessment and counseling. The variety of clients' needs, tasks, and perspectives creates an ongoing challenge for the counselors and requires flexible, complex solutions.

The stalkers can contact the service anonymously. They can also send an enquiry via a protected online counseling platform where they can be counseled online. A number of counseling sessions take place over the phone. Stop-Stalking offers individual sessions, each client being supported by a male and a female counselor.

The sessions usually take place once a week, in some cases—if necessary and fitting into the process—with longer pauses in between. The average number of sessions ranges from 10 to 20, some processes being shorter, some considerably longer at up to 50 sessions. The clients are allowed to contact the counseling center between sessions if they find themselves in an acute crisis or feel a persistent urge to stalk. In the first three sessions of face-to-face individual counseling, it is clarified whether the client's behavior can be qualified as stalking or not. If it can and counseling commences, the clients provide their personal data. The initial assessment including the risk, the need to contact the network, the level of emergency of contact, and counseling needs will then be made. The counseling agreement will be signed describing the stalkers' previous behaviors and stating their readiness to work on change, to desist from stalking, or to immediately report to the counselors if they have stalked again. A number of sessions will be agreed upon and the goals will be set and thoroughly discussed. In some cases, where the behavior cannot be qualified as stalking so far but the individual feels vulnerable, shows a high degree of a sense of entitlement toward the potential victim, exerts coercive control, or feels endangered, preventive counseling will be offered in order to avoid the onset of stalking. In each session the current risk situation will be assessed. In the middle of the counseling process, in an "inventory and reflection session," the achievement of the goals set in the counseling agreement will be critically evaluated and the initial goals re-examined and, if necessary, modified.

Stalkers who have been assessed as having psychiatric needs will be encouraged from the very beginning to make use of psychiatric treatment and will be referred to a psychiatrist. In the presence of alcohol and/or drug addiction, the clients will be requested to enroll into an accompanying or prior addiction treatment and a referral will be made. Several sessions can be used in order to motivate clients to begin psychiatric or addiction treatment. Lack of readiness for treatment as well as obvious chronic non-compliance with the terms and conditions of the counseling agreement serve as criteria for termination of counseling.

THE RATIONALE OF COUNSELING—INTEGRATION OF METHODS

The counselors of Stop-Stalking have adopted the problem behavior framework developed by their Australian colleagues (McEwan et al., 2014) and treat stalking as a problem behavior. Stalking may or may not be a symptom of a deep-grounded psychopathology (Dreßing, Bindeballe, Gallas, & Gass, 2008). It can reach the threshold of a crime, but it can also bubble in a low-key chronic style without reaching the level of legal prosecution, being still grueling for the victims and activating but exhausting for the stalker. In any case stalking contains a threat of danger in itself and remains harmful for both sides. Prompt intervention and adequate management are required in order to avoid chronification, escalation, and further risk.

Due to their diverse therapeutic and counseling expertise and the complexity of the tasks the counselors need to tackle within the process of their work, an interdisciplinary modular program has evolved with the rationales and tools coming from different evidence-based therapeutic and counseling approaches. The counselors came to the conclusion that the relatively limited perspectives of single therapeutic schools were not sufficient and could not cover the needs of the counseling process, nor the variety of conditions and problems the clients bring into counseling. According to the counselors, a multidisciplinary perspective can best address the variety of the challenges specific to problem behavior counseling, its sources, and consequences. For example, Schema Therapy (ST; Young et al., 2003) allows for an elaborated background explanation of stalking as a maladaptive coping strategy for solving early developmental conflicts actualized in the clients' present life situation. ST is an integrative form of treatment combining cognitive, behavioral, psychodynamic object relations, and humanistic gestalt therapy approaches developed for treatment of patients with personality disorders. ST was developed by Jeffrey Young for treatment of chronic disorders resistant to treatment with standard cognitive behavioral therapy (CBT); for example, complex traumas, personality disorders, chronic anxiety, and depression. Due to the limited setting of counseling, Stop-Stalking cannot use the full potential of ST, but its rationale, approach, concept, and tools prove to be very practicable for the counseling practice, allowing tasks to be addressed and providing the counseling the structure it requires (Handrock, Zahn, & Baumann, 2016). In its Scheme Mode Work, ST comprises a sophisticated set of techniques that enable the counselors to work on extremely diverse, quickly changing, but highly recurrent emotional, cognitive, and behavioral states typical of stalking offenders.

These techniques allow both for explicit confrontation with aggressive and harmful modes and for taking care of the fragile and vulnerable parts of the self. ST shows itself as having an "explanatory value in understanding criminal and violent behaviour" (Keulen-de Vos et al., 2016). It is being increasingly used for treatment of forensic populations with antisocial, borderline, narcissistic, and paranoid personality disorders, including patients with high levels of psychopathy, and shows positive outcomes with regard to reoffending and reintegration into the community (Bernstein et al., 2012; Bernstein, Arntz, & Vos, 2007; Chakhssi, Kersten, de Ruiter, & Bernstein, 2014; Keulen-de Vos, Bernstein, & Arntz, 2013).

Another so-called third-wave CBT therapy, Dialectic Behavioral Therapy (DBT), uses a biosocial framework to explain complex behavioral problems and offers a dialectical model for the counseling process combining validation of the client's needs, identity, and coping responses with confrontation aimed at limiting the dangerous behavior and facilitating change. As a therapy developed for the patients suffering from borderline personality disorder and exhibiting self-damaging behaviors, DBT possesses a complex set of tools targeted at the control of impulsivity and problematic behaviors. Psychodynamic approaches, especially object relations theory and attachment theory, can help understand why stalkers are so strongly obsessed with their targets and which processes contribute to restaging of certain tormenting scenarios known to the clients from their early histories. Cognitive-dynamic models (Bryant et al., 2014) help to correctly understand and work with the symptoms that are similar to the clinical picture of prolonged grief disorder, with pathological rumination and brooding. Knowledge of humanistic approaches is indispensable for supporting the stalkers in the deep psychological crises the stalkers find themselves in and for the development of a new perspective after the acknowledgment of loss and deficits. Positive psychology offers a paradigm for the evolution of motivation, which is a highly demanding issue in stalking counseling. StopStalking strives not simply to eclectically use the methods offered by different schools, but to integrate them into a unified practice with the focus on stalking behavior (Hille et al., 2017).

The counseling program consists of 17 modules. The weighting of different therapy concepts varies from module to module and depends on the risk, the client's needs, the stage of the counseling process, and the personality and psychopathology of the client. Figure 1 offers an overview over the counseling modules and their theoretical backgrounds, including selected sources.

Modules can be understood as both building blocks and tool pools. Some of them (including risk and threat assessment, motivation

Module	*Theoretical background, selected sources*
Introduction to the Counseling Process and Stalking Anamnesis	Stalking research and practice (Tschan & Hoffmann, 2008; Hoffmann & Wondrak, 2009; Hille, Siepelmeyer, Jankowski, & Ortiz-Müller, 2017)
Risk and Threat Assessment	Stalking risk assessment theory and practice (MacKenzie, McEwan, Pathé, James, Ogloff, & Mullen, 2009) Risk assessment for intimicides (Marneros, 2015)
Assessment and Case Formulation	Stalking research and practice (Meloy, 1998; Dreßing, Kühner, & Gass, 2007; McEwan, 2017) Object relations theory (Celani, 2010) Attachment theory (Patton, Nobles, & Fox, 2010; Cundy, 2017) Schema therapy (Young, Klosko, & Weishaar, 2003; Bernstein, Arntz, & Vos, 2007; Bernstein, Nijman, Karos, Keulen-de Vos, De Vogel, & Lucker, 2012; Roediger, 2016)
Development of Counseling Goals, Entering the Counseling Agreement	Transtheoretical model of intentional behavioral change (in MacKenzie & James, 2011) Other stalking research and practice (Hille, Siepelmeyer, Jankowski, & Ortiz-Müller, 2017)
Responsibility and Motivation for Change	Motivational interviewing (Miller & Rollnick, 2002, 2006) Self-Determination Theory (Deci & Ryan, 1985, 2000, 2008)
Schema and Modus Diagnostics	Schema therapy (Young, Klosko, & Weishaar, 2003; Bernstein, Arntz, & Vos, 2007; Bernstein, Nijman, Karos, Keulen-de Vos, De Vogel, & Lucker, 2012; Roediger, 2016)
Psychoeducation	Salutogenesis (Antonovsky, 1997) Stalking research and practice (Hoffmann, 2006; Tschan & Hoffmann, 2008; Hille, Siepelmeyer, Jankowski, & Ortiz-Müller, 2017)
Previous Relationship with the Victim	Psychoanalytic-systemic perspective (Peichl, 2008) Emotion-focused therapy (Meneses & Greenberg, 2017)
Consequences of Stalking for the Victim	Victimology and stalking research (Kühner, Gass, & Dreßing, 2007; Van Der Aa & Groenen, 2010; Gallas, Klein, & Dreßing, 2010; Cupach & Spitzberg, 2014)
Legal Issues and Consequences	Country specific information (Van Der Aa, Bachman, & Ortiz-Müller, 2017; Raab-Heck & Wolf, 2018)
Confrontation with the Criminal Behavior	Schema therapy (Bernstein, Arndt, & Vos, 2007) Stalking research and practice (Hoffmann & Wondrak, 2009; Ortiz-Müller, 2012) Dialectical behavior therapy (Linehan, 2014, 2018)
Controlling Stalking Behavior, Crisis Management, Self-Management	Dialectical behavior therapy (Bohus & Wolf-Arehult, 2011; Gallietta & Rosenfeld, 2012; Linehan, 2014)
Biography Work	Object relations theory (Celani, 2010), attachment theory (Cundy, 2017), schema therapy (Roediger, 2015)
Future Perspective	Good Lives Model (Ward & Brown, 2004) Desistance theory (Maruna, 2010)
Social Skills and Competencies	Dialectical behavior therapy (Linehan, 2014; Bohus & Wolf-Arehult, 2014)
Recurrence Prevention	Stalking research & practice (Johnson & Thompson, 2016; McEwan, Daffern, MacKenzie, & Ogloff, 2017)
Follow-up	Desistance theory (Maruna, 2010)

Figure 1 Stop-Stalking counseling modules with their theoretical backgrounds.

for change, stalking behavior, and impulse control) are essential and applicable in each case, and others (including social skills and competencies, empathy for the victim) are used variably, dependent on the needs of each particular client. The Stop-Stalking modular program is being finalized for validation and evaluation.

Apart from some features generally inherent to the management of stalkers, such as ongoing risk assessment and agile ongoing interaction within the professional network, counseling work with this clientele includes a number of other specific focal points highly relevant for the development and outcomes of counseling. These focal points and possible responses to the challenges associated with them are described in more detail below.

VALIDATE TO CHANGE—THE DIALECTIC BETWEEN PROCESS AND CONFRONTATION

Stalking has to stop. But is it enough only to confront it? At Stop-Stalking, setting boundaries is embedded into the context of the psychotherapeutic counseling process and evolves on the basis of the in-depth counseling relationship jointly created by the counselors and the client (Ortiz-Müller, 2012). This relationship is seen as the central "impact factor," and the provision of a safe, open, and non-judgmental atmosphere is a prerequisite for confrontation. Counseling is process oriented, which means in the first place that it responds dynamically to the current risk situation and is shaped depending on this response and the needs arising from the momentary situation. Secondly, counseling is guided by the wish of the counselors to understand the meaning and function of stalking as a symptom and a disturbance rather than solely focusing on eliminating it. The counselors' openness and curiosity help the client create or open up the inner space in which the exploration can take place. The functionality of the behavior and the needs and inner conflicts it arises from will be validated by both the counselor and the stalker. In the course of the experiential work the client, supported by a counselor, develops his own unique solution to a change. Counselors believe that a solution can be implemented only when it is consistent with the stalker's personality, otherwise it will be not maintained in the long term and the client will sooner or later revert. At the same time, cases where a client is not ready to practice introspection, due to lack of cognitive or emotional ability or readiness, are not rare. The counselors' appreciative and non-instructive attitude allows them to serve as a boundary-setting authority, assisting the

client in the establishment and development of the moral and legal understanding necessary to cease.

The counseling process is nourished by the counselors' humanistic and existential attitude characterized by unconditional positive regard to the client and acknowledging the client as a human being striving for a happy, fulfilling life. Acceptance of the client while condemning the offense is grounded in the ideas espoused by Blanchard (1995), Bauman and Gregory Kopp (2006), Braswell and Wells (2014), and Blasko, Serran, and Abracen (2018). Along with the counselors' clear and transparent attitude toward stalking as harmful, destructive, and damaging behavior, a dramatically erroneous path to look for satisfaction, the client is treated as a worthy, searching human being. A being driven by universal biopsychosocial needs, whose problems are embedded in anxiety over shortage, loneliness, or isolation, and at the same time a potentially powerful resourceful individual with his own incomparable skills, abilities, and knowledge. The dialectic reasoning within the counselors' attitude implies that confrontation with the problem behavior can only then reach its target and eventually lead to a change if the attachment, narcissistic, and autonomy needs of the person, as well as his problematic emotions and the attempts to keep the inner balance at all costs, have been seen and validated. Practice shows that being understood and not condemned as a person helps the client develop trust in the counselor, to start opening up and allowing themselves to feel their fear, guilt, limitations, sense of deficiency, or shame about themselves. The empathic understanding experienced from the counselors can serve as a basis for learning how to develop sprouts of empathy toward the victim. For the stalkers who have been exposed to violence in their early lives and learnt to reject themselves, the respectful and empathic attitude frequently proves an important correcting emotional experience. A strong counseling alliance allows the client to manage their psychological resistance within the counseling process at the moments of confrontation with their behavior, and tolerate the high level of arousal they may experience during confrontation.

It is obvious that the development of a supportive counseling relationship can remain extremely difficult, only partly feasible, or completely impossible with certain groups of stalkers. Some clients will be challenging the counselors and their humanistic attitude restaging the destructive, rejecting, deceitful relationships they experienced in their early lives with significant others. In these cases, regular group intervision and supervision help the counselors reflect upon the process and the appropriate procedures.

Validation and confrontation elements will be differently distributed both between the modules and within one module. These elements can fluctuate in their frequency from session to session and within one session. Moreover, working as a pair the counselors can "split" roles at different stages in the process, so that one of them shows understanding and empathy toward the client and the other confronts and demands in a strict way.

It requires developed skills and high sensitivity from the counselors to pace the client's process in order to choose the right balance between the two sides of the dialectics. The counselors need to consider the dynamic risk factors arising from the stalker's daily life, the clients' internal psychic experience, and their confrontation with external forces such as law enforcement bodies.

TELL ME WHY—FORMULATION AS THE CASE CONCEPTUALIZATION

In order to produce any change, the reasons for stalking behavior and the dynamics of its emergence need to be understood. The case conceptualization based on the initial assessment and the first Schema Therapy explorations will be made through formulation. A formulation contains a narrative explanation as to why the client is showing the problem behavior and offers suggestions concerning what counseling should be targeted by reasoning from this explanation. The formulation is developed based on the ST Schema Mode Model for the stalker as an individual. If the stalker had a previous relationship with his victim, a Schema Mode Model can also be elaborated for the dynamic between stalker and victim. Integration of the client's biographic background and consideration of the current life phase with its situational factors as triggers for modes in the formulation helps understand the stalking motivation and features of stalking behavior in each particular case.

As mentioned above, Schema Therapy works with 15 Modes: the moment-to-moment, current activations and manifestations of Early Maladaptive Schemas (EMS), and the responses that help cope with the pain and the unpleasant experiences connected to the EMS. A mode can also be understood as a "part of the person" dominating the person's emotions, cognition, and behavioral tendencies at a certain moment (Young et al., 2003). "Healthy" and "unhealthy" (maladaptive) modes are distinguished.

The Individual Schema Mode Model shows what modes related to the problem behavior are inherent for this particular client and how they interact with each other. The "Couple" Schema Mode Model tracks how the modes of the victim and the offender interact (Simeone-DiFrancesco, Roediger, & Stevens, 2015). Maladaptive modes, including stalking as a maladaptive strategy, are usually acted out without conscious control, and are thus not integrated into the stalker's personality and are mostly dissociated. With the help of experiential exploration techniques (e.g., the chair technique, in which the client moves between two chairs in a dialog between his healthy part and stalking as a symptom, or an imaginative exploration building the so-called affective bridge from the trigger situation to the biographic events experienced by the client in his earlier life) stalking behavior will be circumscribed, externalized as a mode, explored and analyzed as to its driving forces, its functionality, and its limitations. It can be deeply touching to observe how a stalker finds out for themselves through exploratory imagination that the force driving them at the moment of stalking has an internal emotional connection with a much earlier biographic situation; for example, a reaction to being excluded from a peer-group in the schoolyard, the despair of being left alone without any parental support in a challenging situation, or having to separate from a beloved sibling leaving home for a university.

Figure 2 shows one example of an individual Schema Mode Model for a rejected stalker. On the left side we observe how the inner punitive critical parent mode devalues the client after his wife left him in a trigger situation—the client staying alone in the abandoned family home in the evening. These harsh inner voices make the client feel regressive: small, lonely, despised, but also angry in a childish way and wanting to vent his anger; and at the same time impulsive, defiant, wishing to confront the attacking parents and the abandoning spouse. The regressive inner modes are painful to feel and hard to endure. They need to be coped with. The maladaptive coping strategy available to this client would be to control his ex-wife through stalking, to build up a "wall of anger" against the social environment that has little tolerance for his behavior, and to soothe himself in an unhealthy way through alcohol and drugs. This client's healthy adult mode is not strong enough either to take care of the vulnerable modes or to control the maladaptive ones. One can only imagine what the consequences of this maladaptive circle will be, if no intervention follows.

Apart from the Angry Protector, who displays much anger thus keeping other persons and their pain at a distance, and the Over-Controller, a paranoid or compulsive mode striving for extreme control at any

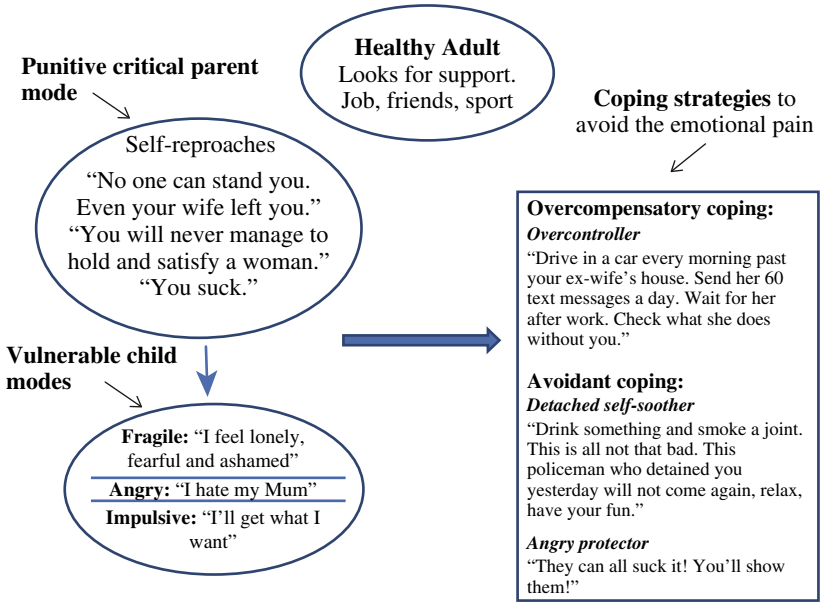
Punitive critical parent mode
Healthy Adult
Looks for support.
Job, friends, sport
Coping strategies to avoid the emotional pain
Self-reproaches
"No one can stand you. Even your wife left you."
"You will never manage to hold and satisfy a woman."
"You suck."
Overcompensatory coping:
Overcontroller
"Drive in a car every morning past your ex-wife's house. Send her 60 text messages a day. Wait for her after work. Check what she does without you."
Avoidant coping:
Detached self-soother
"Drink something and smoke a joint. This is all not that bad. This policeman who detained you yesterday will not come again, relax, have your fun."
Angry protector
"They can all suck it! You'll show them!"
Vulnerable child modes
Fragile: "I feel lonely, fearful and ashamed"
Angry: "I hate my Mum"
Impulsive: "I'll get what I want"

Figure 2 Example of a schema mode conceptualization.

price, the following stalking-related maladaptive modes are typical for the offenders counseled at Stop-Stalking:

- Impulsive Child Mode: acts like a stubborn, defiant, undisciplined, spoiled child who cannot tolerate frustration or any manner of confrontation.
- Self-Aggrandizer Mode: feels special, powerful, and omnipotent. This mode is about power, superiority, comparison with others, self-importance, and dominance.
- Bully and Attack Mode: aggressive, threatening, coercive, ready to fight, obtains sadistic pleasure from attacking other persons and not leaving them in peace.
- Conning and Manipulative Mode: seeks to reaching goals through deceit, fraud, manipulation. This mode can be, for example, active when a client tries to use the counseling to avoid legal sanctions through imitation of insight and remorse.

The Schema Mode Model is usually developed together with the client and revised in the counseling sessions. The formulation narrative including all other abovementioned items is also utilized in the counseling work in a transparent way as much as possible. It helps the client gain some distance from their problems, understand the reasons for their stalking, work on the behavioral change, and develop a more constructive narrative.

GIVE ME A POINT—STRENGTHENING THE HEALTHY ADULT

The goal of Schema Therapy is to teach the client how to strengthen their Healthy Adult mode, so that it can hold against the maladaptive modes, to "navigate, negotiate with, nurture, or neutralize" them, thus protecting the individual from their own destructiveness (Bernstein et al., 2007). At its best, the Healthy Adult can learn to take care of the vulnerable modes and restrict the punitive or devaluing modes. Due to the limited setting of counseling, full-fledged therapeutic work is not possible at Stop-Stalking and the clients would be then referred for further therapies, if required. Counseling at Stop-Stalking thus serves as a preparation bridge to the system of medical and psychotherapeutic care for many clients who need therapy but would never find a way to it on their own.

When a client comes into counseling, the notion of a Healthy Adult will be introduced very quickly. The part in the client looking for counseling, complying with it, and working (hard) on the change is seen and reinforced as an expression of the Healthy Adult learning how to set limits and to manage the self-destructive stalking modes. Even in those clients whose life is a total mess otherwise, and in whom the Healthy Adult parts can hardly be found, the compliant client mode managing to come to a counseling session can be a straw to hold on to at the beginning. Healthy Adult is the part in the self guided by common sense. It can develop a judgment about the advantages and disadvantages of stalking, can understand and validate the client's conflicting core needs, and can look for ways to fulfill them in a healthy, socially acceptable way. It is they who listens to the warning of the counselor about the discomfort and inconvenience of paying the penalty or living behind the bars if the client does not stop their stalking behavior. Looking for a Healthy Adult in the client and constructing it together with the client is a hard but mostly a fruitful and resourceful process. When successful, it carries in itself a strong, empowering and life-affirming element on the way to a more mature and self-determined life. For those clients who have little structure, it can serve as a reference point to start at and return to. Different tools can be used by the counselors in the process of developing and implementing the Healthy Adult Mode: searching for positive models to learn from, "fantasy travels," connecting to a wise person from the client's history, role plays, mentalization exercises, regular homework, etc. Keeping a clear, reliable, empathic, and structured counseling relationship can serve as a model for understanding how a Healthy Adult functions and behaves. Construction of a Healthy Adult can also be a very sad experience, when the clients understand how unhealthy and not grown-up their significant others were and how much love and caring have been missing in their lives.

STOP IT! LIMITING THE PROBLEM BEHAVIOR

It is not enough only to confront the stalking modes or to understand their functionality and biographical correlates. Limiting and stopping the behavior has to be learned, trained, and burned into the conscience and daily routines. DBT—developed in the USA by Marsha Linehan for treatment of women suffering from borderline personality disorder—offers an elaborated system for working with problematic behaviors. DBT is also a form of treatment that addresses impulsivity directly.

One of the constituent parts of problem behavior management is the hierarchical system of primary targets which can be effectively used for the purposes of stalking offender counseling. The hierarchy serves also as a basis for the development of the counseling goals written down in the counseling agreement. The primary targets are:

1. Life-threatening and damaging behaviors, including all types of stalking behavior, physical violence to others, self-damaging behaviors, and suicidal crises. They will be treated first and remain the focus of counseling in every session. Harm to others takes precedence over self-harm.
2. Counseling interfering behaviors, such as skipping sessions without previous notice, non-compliance with the setting, being uncooperative during the session, concealment of stalking behavior, not doing homework repeatedly. These targets are vital for the counseling process and need to be addressed promptly and directly.
3. Quality of life problems, such as alcohol and drug abuse, a missing job perspective, difficulties in social interaction, depressive episodes. These will be tackled if the first two targets are not the focus of the session or when quality of life problems induce the preceding ones.

Once a target has been identified, the counselor will carry out a detailed chain and solution analysis together with the client. The next step would be to rehearse with the client more functional behaviors that could replace the dysfunctional links in the behavioral analysis chain. In order to be able to control and transform the unbearable states preceding the problem behavior, clients can be equipped with a variety of helpful skills. DBT offers the following skills:

- Mindfulness practice, helping clients understand how to be fully aware and present in the problematic moment.
- Distress tolerance, teaching them how to tolerate pain without changing it.
- Interpersonal skills, assisting the clients in learning how to communicate in order to reach their goals without harming other people. Interpersonal skills can also be helpful for implementing the elaborated crisis management strategies.

- Emotion regulation skills, aimed at changing emotions that the client wants to change.

Behavioral chain analysis gives a detailed description of the events and vulnerability factors preceding the problematic behavior and of the consequences of stalking. Solution analysis offers a range of possible constructive reactions to the triggers that are not harmful to the client or others. Together with the Schema Mode Model, behavioral and solution analysis is used for transformation of the maladaptive coping strategies. Figure 3 shows an example of a behavioral and solution chain analysis for a rejected stalker with a step-by-step instruction for the counselors.

TO CHANGE OR NOT TO CHANGE? MOTIVATIONAL ISSUES

No change can take place without motivation. Lack of insight into the destructiveness of their behavior and therefore lack of motivation for any change is one of the main difficulties in the treatment of stalkers mentioned in the existing literature (MacKenzie & James, 2011). At the same time, counseling practice reveals such a great variety of

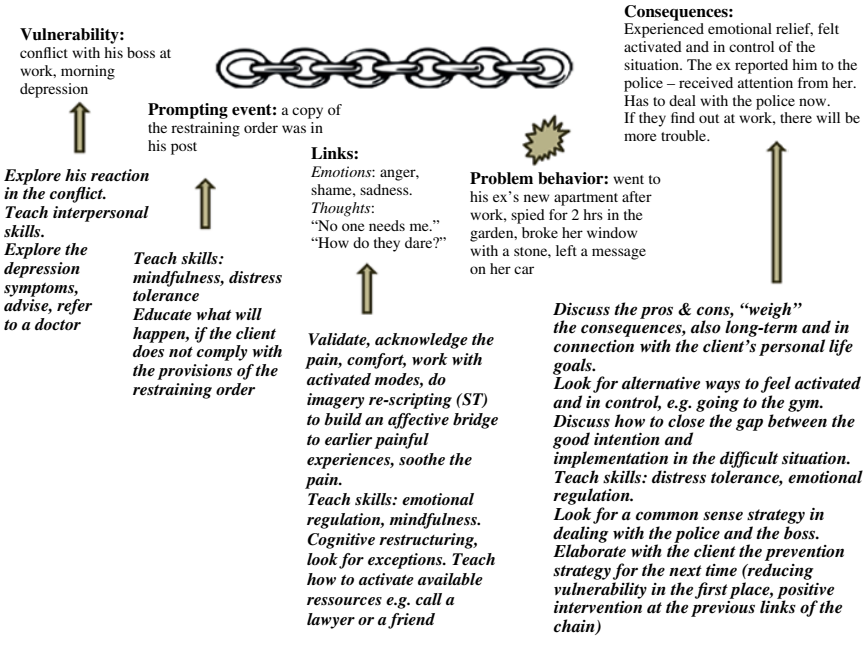
Vulnerability: conflict with his boss at work, morning depression
Explore his reaction in the conflict. Teach interpersonal skills. Explore the depression symptoms, advise, refer to a doctor
Prompting event: a copy of the restraining order was in his post
Teach skills: mindfulness, distress tolerance Educate what will happen, if the client does not comply with the provisions of the restraining order
Links: *Emotions*: anger, shame, sadness. *Thoughts*: "No one needs me." "How do they dare?"
Validate, acknowledge the pain, comfort, work with activated modes, do imagery re-scripting (ST) to build an affective bridge to earlier painful experiences, soothe the pain. Teach skills: emotional regulation, mindfulness. Cognitive restructuring, look for exceptions. Teach how to activate available ressources e.g. call a lawyer or a friend
Problem behavior: went to his ex's new apartment after work, spied for 2 hrs in the garden, broke her window with a stone, left a message on her car
Consequences: Experienced emotional relief, felt activated and in control of the situation. The ex reported him to the police – received attention from her. Has to deal with the police now. If they find out at work, there will be more trouble.
Discuss the pros & cons, "weigh" the consequences, also long-term and in connection with the client's personal life goals. Look for alternative ways to feel activated and in control, e.g. going to the gym. Discuss how to close the gap between the good intention and implementation in the difficult situation. Teach skills: distress tolerance, emotional regulation. Look for a common sense strategy in dealing with the police and the boss. Elaborate with the client the prevention strategy for the next time (reducing vulnerability in the first place, positive intervention at the previous links of the chain)

Figure 3 Behavioral chain and solution analysis for a rejected stalker.

possibilities on a motivational continuum that it seems unreasonable to assert that stalkers can never be motivated to change. It would even do great injustice to some populations of the people who stalk. There is certainly a subgroup of stalkers who will not develop a motivation to change, neither in the face of radical legal sanctions nor under the influence of medication; for example, those with strong delusional beliefs not responding to medication or certain individuals with severe personality disorders, in particular those with a narcissistic and/or antisocial personality disorder (the latter being sometimes chronically delinquent and having "nothing to lose"). This population of stalkers end up in, and will be assessed in, forensic or high-profile legal settings. Other subgroups are heterogeneous. It would be more reasonable to speak about timing in the stalking process and a strong conflict of motivations within one individual. It seems to be true that in the first stages of stalking, a stalking individual is strongly driven by his obsession and experiences his behavior as fully legitimate and purely ego syntonic. Internalized societal and cultural norms and values, like an idea of a strong man fighting for his love, belief that one has to be true for ever, romanticizing of unrequited love and of obsessional pursuit, can support this perception of self and feed the sense of entitlement. Over time, especially if the victim knows how to protect themself, stalking can become very wearing and frustrating for the stalker, as it does not lead to the intended results. Negative feedback from the social environment and confrontation with the legal system can induce fear and increase pressure and frustration. Being accused of stalking and being treated as a stalker can lead to a strong identity dissonance, the notion of being a stalker being incompatible with the self-image of the individual. At this stage, some stalkers experience stalking as a compulsion or an addiction, something they would rather get rid of, if they could. It seems to be very important to reach these individuals at this stage and offer them treatment or counseling. The bitter truth is that it is extremely difficult to stop stalking on one's own, even if motivation to stop is present in some form. It may be due to the high functionality of stalking behavior in bringing immediate relief and gratification, due to habit (seeing one's wife and children every morning), hoping to finally achieve one's goal (especially if the victim behaves in an inconsistent way), or due to a deeply rooted psychic disorder which has not been treated. To get free from stalking, a behavior stemming from a pathology of attachment (Meloy, 1998) and from an obsession with a significant person, one needs another human being who would serve as a supportive and strict reliable object and a moral and emotional corrective.

Self-determination theory (SDT)—a humanistic theory of human motivation—and the research that relates to it provide a good explanatory

model for the relation between motivation and attachment (Deci & Ryan, 2008). According to SDT, the need to feel belongingness and connectedness with others is essential for the development of internalized motivation. Extrinsically motivated actions are mostly initiated because they are valued by the persons to whom individuals feel or want to feel related. In this sense positive transference toward the counselors, feeling supported by them in the process of change, can serve as the initial inspiration for the development of motivation. Unlike many other theories of motivation, SDT distinguishes not only between the intrinsic (internal, with a high degree of autonomy) and the extrinsic (controlled, dictated by others, with a low degree of autonomy) motivations, but also offers "a continuum of behavioural regulations" within extrinsic motivation. The stages of the continuum differentiate between the degrees "to which the behaviour has been integrated into the individual's sense of self" (Ryan & Deci, 2000). This continuum is applicable to stalking counseling practice and can serve as an orientation for the understanding of motivation development both for the counselors and the stalkers (see Figure 4).

Non self-determined — Self-determined

	Amotivation	**Extrinsic Motivation**				**Intrinsic Motivation**
Regulatory style:	NON-REGULATION	EXTERNAL REGULATION	INTROJECTED REGULATION	IDENTIFIED REGULATION	INTEGRATED REGULATION	INTRINSIC REGULATION
Source of motivation	**Impersonal**	**External**	**Somewhat external**	**Somewhat internal**	**Internal**	**Intrinsic Regulation**
Motivation regulations	No perceived - intention - competence - choice - value of the behavior Lack of control	Compliance External - rewards - punishments - obedience External control	Ego-involvement Focus on approval from others Internal - rewards - punishments (guilt, shame, pride)	Valuing an activity Personal importance Endorsement of goals	Congruence Integrated into self-concept	Interest Internal - fun - enjoyment - pleasure Inherent satisfaction
	Client is not valuing the change	Client desists from stalking behavior because he has to	Client is not stalking because he wants to protect his ego from shame and deserve acceptance	Client is not stalking because it is important, but not about pleasure	Client is not stalking because it is a part of who he is	Client is not stalking simply because he enjoys not stalking

Figure 4 Motivational continuum of self-determination theory.

A stalking individual mostly starts at the left side of the continuum, feeling totally unmotivated for any change, as described above. External demands like confrontation with the legal system, the necessity to comply with the conditions of probation, the threat of losing access to or custody of children, and problems at work and with the social environment can lead to the first changes in behavior dominated by the external locus of causality (external regulation). The changes are experienced by the stalker as controlled and alienated and are regulated by external rewards, by the need to obey or fear of punishment. This is the motivational state in which most of the stalkers find their way into counseling. The majority of clients stay in this state for some time during the first phase of the counseling process. If the counseling relationship starts to evolve and the client is more or less compliant, they can proceed to a more advanced stage of extrinsic motivation, learning to prohibit themselves from stalking in order to show the counselors that they are capable of change and can stick to the agreement. They will want to avoid the feeling of guilt or shame from non-compliance or wishes to deserve praise, making them proud of their achievement. Introjected motivation can be seen as regulation by contingent self-esteem and protection of the ego from failure (Deci & Ryan, 1985). At this stage, an important shift in stalkers' perceptions of themselves can take place. One of the motivations for why stalkers, especially rejected or incompetent ones, follow their victims at later stages of stalking is to prove to the victim that they are good people that the victims should not feel afraid of, meaning "we could at least stay friends." Self-esteem issues are vital to the persons who stalk at this stage. They are desperate not only because they have messed up the relationship, but also because they made victims hate and abhor them as a consequence of stalking. The desire to repair the situation and change the victim's opinion of them naturally leads to even more contact attempts. At this stage, it is critical that the stalkers realize that stopping stalking may be the only way to make the victim sometimes think at least neutrally about them and stop hating them. In simple words, abstinence from stalking makes them better persons than stalking, which was not at all obvious before. New behaviors at this stage still have a perceived external locus of control and are usually not experienced as part of self. In the course of further counseling, motivation can become more internal, with the behavioral change or regulation more consciously valued and starting to be personally important to the individual. There is an interesting observation showing that at this stage clients often become more open to feedback from their social environment telling them that stalking behavior is damaging them and they should start taking care of themselves and their own lives. Alternatively, they notice

that stalking is useless and does not fulfill the need they tried to satisfy through it. This is the time when behavioral change becomes realistic. Integration of regulation is the most developed form of extrinsic motivation. It occurs when the client manages to consciously evaluate the identified regulations and bring them into congruence with his needs and values. For example, a stalker can stop stalking his family because he realizes in the course of counseling that he wants to preserve the attachment to his children, as he went through a lot of suffering because of his own father as a child, and being a caring dad for his kids belongs to his values and aspirations. Behaviors at this stage are very close to those guided by intrinsic motivation but they are still perceived as extrinsic, as they are done to achieve certain outcomes and not simply for their inherent enjoyment.

This differentiated approach to extrinsic motivation allows the counselors to locate where the clients are at different stages in counseling and guide them with the help of validation and reinforcement to higher stages of motivation. Working with this continuum can also serve as an inspiration and empower the counselors when the clients are forced into counseling by legal sanctions and appear completely unmotivated.

WHAT COMES WHEN STALKING GOES? WORKING WITH PATHOLOGICAL GRIEF

Two other issues seem to be vital for stalking counseling. Both have to do with the process of separation and with the states of grief and sadness. When the clients' overcompensating defenses step aside, deep despair becomes palpable. This state can be comparable in its symptomatic picture with the state of prolonged grief. Some of the diagnostic criteria for prolonged grief disorder—like long-term persistent yearning for the lost person, difficulty accepting the loss, preoccupation with the person lost, bitterness or anger related to the loss, and significant impairment in many areas of functioning (Jordan & Litz, 2014)—are very typical both for the conditions preceding stalking behavior and following it. For this reason, counselors need to have expertise in working with the emotional, cognitive, and behavioral aspects of pathological, prolonged grief reactions. The model of integrative CBT with its methodological instruments (Rosner et al., 2015) can be one of the examples of a step-by-step program applicable in the setting of the offender counseling.

Another issue is that when stalking as an activating, invigorating, and giving a sense of purpose psychic repertoire mechanism cannot be applied by the client anymore, a deep sense of emptiness and

purposelessness inherent to a state of psychological crisis can become overwhelming for the client and depressive symptoms can develop and persist. At this stage, it is important that either counseling continues until the client has been stabilized or the client is referred for further therapeutic support. Counseling in this phase includes intensive work with the symptoms of psychological crisis and the development of a new perspective, both of which are important constituents of recurrence prevention. The Good Lives Model (Ward & Brown, 2004) used in offender rehabilitation and the desistance theory rationale (Maruna, 2010) can be recommended here as a possible reliable approach. This phase requires mostly an extensive time investment and can last a long time, thus going beyond the frame of counseling. Here again counseling at Stop-Stalking has a bridge function. It helps the clients to accept the necessity of further therapy and prepares them for this.

DOES IT REALLY WORK? RESULTS OF A RETROSPECTIVE SURVEY

For the purposes of the recent short evaluation (Siepelmeyer & Seewald, in press) a questionnaire was developed and sent to a sample of stalkers who received more than five counseling sessions at Stop-Stalking between 2014 and June 30, 2017 and who could be reached. Twenty-seven clients filled out the questionnaire, four contacted the center and wanted to give oral feedback, and eight clients explicitly refused to respond. Fifteen clients were self-referrals and had no legal sanctions against them. Sixteen clients had legal sanctions against them. Fourteen of these had a police report filed against them, with the investigation still going on. Nine clients had both a police report and a protection order against them; five of these were in a suspended legal proceeding (§ 153 of the German Criminal Procedure Code) with a police report and a protection order preceding the legal prosecution. Five stalkers had only a police report filed against them. Two others had to undergo counseling at Stop-Stalking as a condition of parole (both of them had violated a protection order in a severe manner earlier). Two remaining clients had to undergo counseling at Stop-Stalking as a condition of parole after having been found guilty of stalking and sentenced (both of them had violated a protection order in a severe manner earlier). The questionnaire aimed at finding out if the clients recidivated after the end of counseling, if they had learnt to control their stalking impulses in the course of counseling, and what aspects of counseling they found helpful. Respondents were also asked to evaluate

five different aspects of counseling on a graphic rating scale ranging from 0 (not at all helpful) to 6 (extremely helpful). The last part of the questionnaire included open questions about critical aspects and drawbacks of counseling.

A total of 25.8% of the stalkers reported that they stalked again after the end of the counseling process, all of them mentioned that the new episode was less intense. Out of the recurrent stalkers, 62.5% contacted Stop-Stalking again asking for help. Two stalkers who did not recidivate contacted Stop-Stalking before they were about to stalk. Seventy percent reported that they had learnt to control their stalking impulses during the counseling sessions at Stop-Stalking.

Qualitative self-reports from the stalkers show that the relational elements of the counseling process (mentioned 33 times) comprised the most important group of impact factors, followed by cognitive (21), behavioral (13), and emotional (11) elements. The most frequent relationship factors were "to be understood," "being able to speak openly and to speak to a professional," "not being left alone in the time of crisis," and "not being rejected, not making me feel ashamed." "Empathy on the part of the counsellors," "being treated as a human being," "being treated with compassion leading to the development of self-compassion" were the most important emotional factors. "Reflection about the reasons for my stalking, understanding why I stalk" was the cognitive factor mentioned most. On the behavioral level, clear borders set to the stalking behavior and tips on how to stop stalking were evaluated as most helpful. The important role of the working relationship with the counselors is once again reflected in the feedback to the aspects of counseling: 78% of the respondents rated it with a "6" and "5;" 88% of the clients evaluated the regularity of counseling as very helpful. The helpful nature of the low-threshold counseling service was noted by 93% of the respondents, 70% of whom evaluated this aspect as "extremely" facilitating of positive change.

In the critical clients' feedback, three groups of factors can be clearly distinguished: (a) structural factors of the counseling setting, including the limited number of sessions and no opportunity to receive comprehensive therapeutic treatment at Stop-Stalking; (b) the methods used; and (c) the relational factors, including too much confrontation. One client who was sent to counseling by the public prosecutor and had 15 sessions was very critical. He writes, "It was only my own will not to harass this woman anymore, I understood that it would lead to nothing." One client wished that the counselors would invite clients, especially those suffering from depression like him, every three months after the end of the counseling process to a follow-up session.

CONCLUSIONS

- The German criminal and civil legislation and the requirements of the Council of Europe Convention on preventing and combating violence against women and domestic violence constitute a legal frame allowing for the prosecution of stalking in Germany. Legal measures alone do not lead to sustainable results, as the causes of stalking behavior remain untreated.
- A community-based counseling center, financed by the state, embedded in a network of professional actors, and covering a wide spectrum of prevention, is one of the possible forms of psychological and psychotherapeutic work with stalking offenders.
- An integrative approach based on the concepts and tools of different therapy and counseling schools seems to address the diverse needs of the clients in this setting.
- The dialectics between the process-oriented, validating attitude and steady explicit confrontation with the problem behavior against the background of continual risk management lies at the core of the above counseling concept.
- It is not sufficient only to confront the problem behavior and understand its roots. Self-management and new behavioral patterns need to be learned and trained.
- Not all stalkers remain unmotivated for counseling, motivation being dynamic and fluctuating. The continuum within extrinsic motivation can serve as a route map for motivation development.
- Professional handling of pathological grief reactions and psychological crisis management contribute to the prevention of recurrence.
- Work with stalking offenders is by far the most effective way to protect the victims.

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16

National Stalking Clinic: A UK Response to Assessing and Managing Stalking Behavior

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INTRODUCTION

The National Stalking Clinic was established in November 2011 as part of the forensic services of Barnet Enfield and Haringey National Health Service Mental Health Trust with a consultant forensic psychiatrist as the clinical lead and a consultant clinical and forensic psychologist as the lead psychologist for the service. The clinic was established in response to a number of drivers which highlighted a significant unmet forensic need. Underlying the project was the interest of the two clinicians in the management and treatment of individuals who engage in stalking behavior, having encountered a number of such cases in their clinical practice. It was evident that there was limited understanding within mental health services, and the wider judicial system, about the etiology of stalking behavior, the risks of harm associated with such behavior, and how to provide accurate assessment, management, and intervention. In particular it seemed to us that there were key issues to grapple with which could influence the provision of services that would assist individuals who engage in stalking behavior, with the aim of having an impact on

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behavior such as reduction in the intensity and frequency and thereby a reduction in the causation of harm.

A second driver was to expand an understanding of harm beyond that of direct physical assault. While clearly all risks of violence should be taken seriously, the psychological harm associated with stalking behavior cannot be underestimated (Talyor, Barnes, & Short, 2019). While this had been recognized by some, not least by victims and their families, there was not a widespread understanding of this psychological harm within the wider judicial and health system. Several studies indicate a significant burden of ongoing mental health difficulties on victims of stalking (Kuehner, Gass, & Dressing, 2007). More recently, Elklit, Vangsgaard, Witt Olsen, and Al Ali (2019) reported the secondary impact on children of victims of stalking, reporting Post-Traumatic Stress Disorder (PTSD) in 56% of their sample. A final driver was the impending change in the law of England and Wales to identify stalking as a specific crime.

LEGAL CHANGES

The introduction of the Protection from Harassment Act in 1997 aimed to address stalking behavior and its impact. However, victims of stalking, their families, and stalking charities argued that the Act did not identify stalking as a crime and was ill-equipped to deal with stalking per se.

In 2011, the then incumbent coalition government launched a consultation related to dealing with stalking behavior. The resulting report: Review of the Protection from Harassment Act 1997: Improving Protection for Victims of Stalking (2012), highlighted various concerns in dealing with stalking behavior, not least a lack of awareness and understanding. This preceded the change in the law under the Protection of Freedoms Act (2012) to amend the 1997 Act to include two specific offenses of stalking. These are sections 2A and 4A; the former where harassment can be identified as stalking and the latter 4A offense identifying stalking involving fear of violence or serious alarm or distress. Stalking has no criminal definition, but the Act includes a non-exhaustive list of stalking behaviors as guidance. It was against this backdrop that it seemed appropriate to develop a clinic that would aim to consult about, and assess, individuals who had demonstrated stalking behavior and consider how mental health services could contribute to dealing with this problem behavior.

THEORETICAL APPROACH

The clinic both collaborated with and was informed by the work undertaken in Melbourne by Professor Mullen and colleagues. The seminal work, *Stalkers and Their Victims* (Mullen, Pathé, & Purcell, 2009) outlines the underlying typologies of motivation for stalking behavior. This has led to the development of a specific structured professional judgment risk assessment tool, the Stalking Risk Profile (SRP) (MacKenzie et al., 2009), which identifies general risks across the typologies in addition to specific risks related to particular motivations.

The motivation for stalking behavior is identified under the following typologies: rejected, resentful, incompetent suitor, intimacy-seeker, and predatory. These typologies have become well established in the field and will be described briefly to elucidate the clinic's approach.

The rejected typology relates to stalking in the "context of the breakdown of a close relationship" (Mullen et al., 2009, p. 69). "The overt aim of the stalking is either to attain reconciliation or to exact revenge for rejection" (Mullen et al., 2009, p. 69). The resentful typology identifies the stalking behavior in the context of a perceived slight or injustice. "This type of stalking is initially motivated by the desire for retribution …(and) is designed to frighten and distress the victim" (Mullen et al., 2009, p. 76). The stalking behavior becomes a substitute for the original relationship and means, in effect, it has not ended. Badcock (2002) refers to "power-based behaviours" that "can offer an alternative route to personal fulfilment" (p. 130) where "control becomes a substitute for intimacy" (p. 131).

Motivation underlying the intimacy-seeking stalking behavior is the desire and attempt "to establish or assert a loving relationship with the object of their unwanted attentions" (Mullen et al., 2009, p. 83). This group are characterized by a belief in a relationship for which there is no evidence except in the perception of the individual engaged in the stalking behavior. The incompetent suitor is also seeking a relationship but behaves in such a way as a result of impairment in social skills, "most particularly in courting skills" (Mullen et al., 2009, p. 86). While both typologies are seeking relationships, the incompetent suitor does so in search of a date while "at the core of the intimacy seeker's stalking is their fantasy of love and quest for fulfilment" (Mullen et al., 2009, p. 90).

The fifth typology category is the predatory stalker. This is a small subgroup of the stalking typologies where the "behaviours are a means to an end, and that end is an attack on the victim which is usually, but not always, sexual" (Mullen et al., 2009, p. 110). This group are often identified at the point that an attack occurs, and the aim is not to put

fear into the victim by the stalking behavior. As part of an outpatient stalking clinic it would be expected that the referrals would come from the first four groups.

SETTING UP THE CLINIC

The clinic was established with the lead clinicians described above and supported by leadership within the NHS Trust (Barnet, Enfield and Haringey—BEH). The year 2011 was a challenging financial time for England and Wales, as with much of Europe, and there were no identified financial resources to fund the National Stalking Clinic (NSC) even on a short term or pilot basis. To that end, the service was set up as a non-commissioned service; that is, all referrals for assessment had to be directly funded at the point of assessment.

The NSC was based within the trust's forensic services but in reality, the majority of the work undertaken by the clinic involved assessing individuals with limited or no means to travel in probation offices and prisons across the country. Given the complex nature of the presentations, it was decided that joint assessments between psychiatry and psychology would be undertaken to bring the expertise of both disciplines.

Accessing the Clinic

Referrals were accepted from professionals within the mental health and criminal justice fields. There is an established process for requesting and funding medical and psychological reports for court, to assist the court in the trial itself or, more typically, to assist with sentence planning. Consequently, a large proportion of cases were referred by the National Probation Service (NPS) who were engaged in writing pre-sentence reports, and Multiagency Public Protection Arrangement (MAPPA) panels.

There were also a number of individuals who had already been sentenced, to sometimes quite lengthy periods of custody, and for whom making progress within the prison system was proving challenging. These individuals come under the Critical Public Protection review and requests to assess were to assist with sentence planning.

Initially, the clinic considered the option of self-referrals; however, this provided a number of challenges. The first of these was funding, as for many self-funding would not be an option. For those who could fund there was then the issue of ownership of the report to consider, especially in the context of risk posed to self or others. It was therefore agreed that referrals would be accepted from a fellow professional such

that when individuals who state they are engaged in stalking behavior ask for help, we will recommend that they ask for a referral through their health provider or criminal justice officer.

There are also a number of individuals who contact the clinic stating that they are the subject of stalking behavior. We are able to direct such inquiries to the National Stalking Helpline, run by the Suzy Lamplugh Trust charity, who have expertise in supporting victims of stalking. Some individuals raise concerns about their mental health during their contact with the clinic and in such cases we suggest that they contact their GP or, if they provide the information, we can contact their GP or mental health professional directly to raise a concern.

Assessment Process

A joint psychiatric and psychological assessment is undertaken. This is a thorough assessment which will include obtaining a full history – using as much collateral information as possible in addition to an interview, assessment of mental state, developing an understanding of the offense and underlying motivation, and personality assessment where appropriate.

As part of the assessment a review of the risks posed by the individual in relation to stalking behavior is undertaken using the SRP. This is a structured professional judgment risk assessment tool, which provides clinicians with guidelines in forming judgments regarding various risks associated with stalking behavior, as well as guidance for management and potential treatment. It focuses on assisting the clinician with risk assessment in four key areas, namely stalking violence, persistence, recurrence, and psychosocial damage to the stalker. This tool is for use with adults of 18 and over and is completed based on the information available from collateral reports and from the individual themselves.

The geographical locations of assessments varied but were primarily conducted in a range of probation offices and Her Majesty's Prison estates across the country. The individuals were assessed for their capacity to consent to the assessment as the information obtained in the assessment would be shared, where relevant, with the referring agency and potentially the court.

Presentation Challenges at Assessment

It is worth taking some time to describe some of the presentation issues that occur during the assessment process. Of the cases assessed during the life of the clinic so far, only two individuals have refused to attend the first appointment offered to them after initially raising legal

concerns about how their case was being processed. Both these two cases did then agree to attend a further appointment.

In our experience, the majority of individuals referred for an assessment are keen to tell their story. In fact, in many cases, there is a desire and sense of entitlement to take the assessor through a long and detailed account of what has occurred, making reference throughout to the righteousness of their actions. It is seen as an opportunity to "put the record straight" and there is reference to being misunderstood by courts and criminal justice officials. We have noticed, on occasion, that some individuals who are engaged in stalking behavior as a result of a personal grievance can attend with large volumes of detailed notes and letters and have real difficulty in giving any kind of summary of what has occurred. Their investment in the process from the beginning means that an attempt to summarize what has occurred is in some ways to diminish or even belittle their experience; their sense of injustice is based on every interaction and their sense of entitlement demands that we witness the narrative arc of the behavior.

While the majority of individuals are relatively compliant at interview, understanding and agreeing to the process, there have been a minority who struggle with the assessment, sometimes overtly attempting to assert control. This has come in the form, for example, of frequent changes of appointment in order to suit the assessed and not the assessor. On a few occasions we have arrived at a prison only to have to wait while the inmate "negotiates" with the officers as to where and when he will be seen. These boundary and control challenges are important to note as they have significance in recommending further intervention to address their stalking behavior as potential therapeutic interfering behaviors. Further reference will be made to these presentations in the intervention section.

Purpose of Assessment

The reasons for referral vary across the cases with a large proportion requesting a risk assessment and recommendations for intervention. Assessing risk is undertaken with the assistance of the SRP as described above and using Webster, Douglas, Eaves, and Hart's (1997) evaluation of risk. This guides the assessor to make recommendations based not on what they think will happen, but on the current level of concern. Consequently, those individuals who are assessed to be in a high or moderate concern group need a robust action plan, which may include a custodial sentence.

Recommendations for intervention have been more challenging, not least as there is not currently any funding for interventions

with individuals engaged in stalking behavior. This is predominantly because stalking has hitherto not been identified as a distinct phenomenon in its own right and was primarily subsumed into other interventions, such as anger management and domestic abuse interventions. Those individuals who have access to mental health care can access psychiatric treatment and broader psychological input, but often not specifically in relation to the stalking behavior.

For a large proportion of cases assessed, the most likely outcome is either a custodial sentence or community supervision order under the NPS. For the former, many sentences are short term which leaves no opportunity for any meaningful prison-based interventions. When longer sentences are given there is access to general intervention programs, such as "better relationships," but little resource for individualized formulation-led treatment. In general, the provision is extremely limited with little understanding of this particular criminogenic behavior and a failure to grasp the risk responsivity need of this group. For the individual who is struggling with tolerating the ends of relationships, such a group can be counterproductive.

Individuals being managed under Probation face similar challenges. The established programs focus on challenging domestic abuse and developing healthier relationships. For the individual who believes erroneously that they are in a relationship, they cannot be helped by a program that advises him or her to try harder. In addition, for those whose behavior is cause or grievance based and no intimate relationship exists, there is no current provision within the established accredited programs to address the offending behavior and general offending programs lack the theoretical underpinning or flexibility to address any specific targets as regards stalking behavior.

Recommendations, therefore, focus on developing a clear formulation of understanding of the offending behavior, the impact of mental illness and or personality structure, and the potential interventions and management options that may assist to reduce the stalking behavior. Often these recommendations seek to address identified areas of need from the current evidence-based interventions, such as cognitive behavioral therapy and dialectical behavioral therapy approaches alongside practical therapeutic occupational activity.

DESCRIPTIVE ANALYSIS OF THE FIRST 60 CASES

The cases that have been assessed by the National Stalking Clinic were allocated to the various typologies following a full assessment

including the SRP: intimacy-seeker, rejected, resentful, incompetent suitor, and predatory, as described earlier. The following table, Table 1, presents a breakdown of typology of the first 60 cases assessed by the clinic. The results are consistent with current findings that approximately half of stalking behavior is perpetrated by ex-intimate partners (Mullen et al., 2009). Among these cases there is some overlap with domestic abuse cases, but not in all.

Table 2 demonstrates the split across typologies by gender with the majority of male referrals falling into the rejected typology and female referrals in the intimacy-seeking typology. The gender split of all cases is 85% male and 15% female.

An analysis of the age of individuals engaged in stalking behavior suggests a fairly even spread across age groups until the age of 60, when there is a marked reduction in the number of cases (see Table 3).

Most referrals were made by the National Probation Service for assessments to assist with pre-sentence reports. A few cases under Critical Public Protection were seen to assist with sentence planning and there was a small group of referrals from a variety of sources including general medical practice, local authority, and family court.

Table 1 Typology of stalking behavior.

	Rejected	Intimacy-seeker	Resentful	Incompetent	Predatory
Overall	47%	36%	13%	2%	2%

Table 2 Typology of stalking behavior by gender.

	Rejected	Intimacy-seeker	Resentful	Incompetent	Predatory
Men	55%	25%	14%	4%	2%
Women	25%	50%	25%	0%	0%

Table 3 Age and gender split across the cases.

Age	Overall	Male	Female
16–30	29%	28%	30%
31–45	36%	39%	20%
46–60	32%	29%	50%
61+	3%	4%	0%

CASE EXAMPLES

The anonymized case examples summarized below highlight some of the key issues and challenges that have arisen in the assessment and/or intervention within the clinic. We will look at examples of four of the different typologies that we have seen in the clinic; that is, rejected, incompetent suitor, intimacy-seeking, and resentful. The fifth typology, predatory, is a very infrequent referral and refers to individuals already on a lengthy sentence with requests for recommendations for sentence planning—and as such is not indicative of the majority of the work of the National Stalking Clinic.

Rejected

Mr. D. was a British-born man in his mid-40s who had received several convictions for harassment and his behavior had been identified as stalking. He and his wife had been married for 13 years and they had 3 children together. Mr. D.'s stalking behavior commenced at the point that he and his wife separated. This behavior involved sending text messages, making phone calls to try to establish where she was, turning up at the house demanding to see the children, and visiting the school. He was given a Police Information Notice or early harassment notice, followed by a restraining order preventing him from making direct contact with his estranged wife or any of the children except during the pre-arranged contact visits. These were supervised visits at his mother's address so that there was no need for him and his wife to meet.

Mr. D. was unable to adhere to the restraining order conditions and it was established that after several visits to the family home his wife had let him in and allowed him to stay for a few days. There were concerns about her ability to protect herself and the children, and thus contact visits with the children were temporarily withdrawn while he was assessed by the NSC. Consideration of future contact visits were dependent on Mr. D.'s compliance with the assessment and the outcome of any intervention.

It was understandable, therefore, to meet a man who was a guarded and reluctant client. He wore sunglasses and kept them on during the first part of the assessment with arms folded in a defensive posture with an overtly hostile air. Mr. D. had a strong external locus of control; citing others as the cause of his current difficulties. He stated that he and his wife were having some "difficulties" and that it was the reaction of various authorities that had created a situation where he could not "return home." Mr. D. was particularly critical of the social worker involved with his children and stated that the actions that she had

taken were deliberately targeted to make life difficult for him. Mr. D. did not consider that his behavior was stalking or that he needed any help to make changes. However, he did express a wish to see his children and recognized that without some engagement with the clinic he was unlikely to make any progress in relation to contact visits.

The NSC assessed Mr. D.'s risk of violence as low but risk of persistence as high and already with some moderate psychosocial damage for him. Recommendations were for a cognitive behavioral-based psychological intervention to see if Mr. D. could engage and work on behavioral change. It was felt at the assessment that Mr. D. had a motivator to attend but motivation to change was limited. It was agreed with Mr. D. and the referrers that he would be offered four "engagement" sessions before deciding if further intervention sessions would be appropriate.

Mr. D.'s sense of entitlement was immediately apparent. Kropp, Hart, Lyon, and LePard (2002) identify that ex-intimate stalkers "often possessed borderline and narcissistic personality traits" (p. 145) and this was evident. He did not want to commit to a regular time slot for the sessions stating, instead, that he would telephone each Wednesday morning to let the psychologist know when he would be attending. In addition, he was required to bring photographic ID to be seen in the unit, a requirement that he experienced as a personal challenge to him even though it was evident that all personnel entering the building had to do the same. Enforcing these boundaries became a crucial part of the intervention and it was uncertain if he would be able to meet these demands.

Mr. D. attended the first session slightly late but with his photographic ID. The timing of the session was reinforced and finished at the time planned. Mr. D. found this difficult to manage and said that he was being "short-changed" but did agree to attend a second session. The second session he telephoned to change the time, again something that was not facilitated, and although he arrived early on this occasion, he was seen at the time agreed. At the third session Mr. D. did not bring his ID and so was not admitted and thus the session did not occur. Mr. D. reacted angrily to these restraints and on this last occasion left stating he would not be returning. At this point it seemed unlikely that any further input would be effective, but Mr. D. telephoned during the week and requested another appointment. Mr. D. went on to attend a further 20 sessions with some patches of sustained engagement. At times of stress he would revert to challenging the structure of the sessions, demonstrating a sense of entitlement to the psychologist's time and accessibility. Mr. D. responded less angrily to enforcers of the boundaries and even stated that it was good to know exactly when he would be seen.

We have focused on the issue of setting boundaries, not only because of its importance in all psychological interventions with any clients, but also because it has been an emerging theme in the cases that we have seen. It presents as entitlement to time and attention and is an effort to exert control.

Resentful

The theme of control and entitlement is visibly demonstrated in the resentful client who arrives with folders, or even archive boxes, of material for the assessors to read. There is an expectation that the time offered for the appointment is not only insufficient for the account he has to tell, but also that the assessors will adjust the time accordingly.

Mr. S. was a 50-year-old man who had been convicted of three counts of stalking behavior and was referred to the NSC by his probation officer who was preparing a report for court to assist with sentencing. He was suspicious of the clinic and did not feel that it would provide any benefit for him. He was encouraged to attend by his solicitor, who told him that not attending could have a detrimental impact on the court's sentencing decisions.

Mr. S. had engaged in stalking behavior following his perceived mistreatment by a large building firm. He had been unsatisfied by some building work they had undertaken and had refused to pay. This had resulted in him being taken to the local claims court where he was ordered to pay the full invoice with interest in addition to the court costs. Mr. S. paid this amount but became fixated with a sense of unfairness and started a 20-year campaign of stalking and harassing behavior toward the building company and some of its employees, the court judge, and several solicitors whom he felt had represented him badly, reporting them to their licensing body. Mr. S. had received warnings, fines, and community sentences. At the point that he was referred to the clinic, there was potential for a custodial sentence.

The issues highlighted in the case of Mr. D. were also evident for Mr. S. in different forms. There were no challenges to the time of the session or complying with the rules of the unit, instead Mr. S. said that having agreed to attend the appointment he would need several in order to go through all the important details of his case. He arrived with two archive boxes attached to a trolley and placed them on the table with an air of great importance. Attempts by the assessors to structure the interview were rejected as Mr. S. stated that he could not be expected to summarize his experiences and that a proper report could not be filed without a thorough understanding of all the facts.

Mr. S. spoke with a loud voice, pressured in parts, and crucially provided no pauses so attempts to interrupt him were difficult to achieve without speaking loudly over him. Even then, Mr. S. would frequently continue on with his point as if no one else had spoken and indeed for Mr. S. what was said by others did not matter to him, his account appeared to be the only one of importance.

An assessment of risk of Mr. S. indicated that his risk of violence was low but his risk of persistence was high. He felt entirely justified in his actions and in addition to the specific convictions there were a litany of professionals that he had come into contact with about whom he had complained to various levels. Mr. S. was so convinced by his account that there was no space to even consider any alternatives. Although enraged by being taken to court, Mr. S. saw no reason to consider the potential sentencing consequences. He refused to consider attending for a psychological intervention as he was so clear that the fault lay elsewhere. He was sentenced to a short period in custody during which, we imagine, he spent the time planning his next course of action. The psychological investment that he had made and the rigidity of his thinking meant that he could not reconcile any other account of his behavior other than what he had devised. At this point it was felt that a psychological intervention would not be suitable. It was recommended that Mr. S. be offered a more occupational intervention looking to engage him in other more pro-social activities.

Incompetent Suitor

Mr. J. was a young man in his late 20s who had engaged in stalking behavior toward a fellow student on his nursing course. Mr. J. had had a sheltered and religious upbringing in a small village in the Indian subcontinent, only arriving in the UK to undertake his nursing training. He was struck by the cultural differences between his simple village life, socializing with extended family, and the new environment he now found himself in. He told us at the assessment how he was aghast at the behavior of the people on his course, highlighting the use of alcohol and drugs. Most confusing of all for Mr. J. was the relationship-forming that was happening on the course. He expected to have an arranged marriage and had had no exposure to Western university relationship experiences.

Mr. J. said that he was teased by several of the men on the course for not having a girlfriend and when he was asked if there was someone he was interested in he named one of the young women on the course whom he had experienced as being kind to him. This was sufficient for Mr. J. to believe that he did indeed want to form a relationship with this woman and set out conscientiously to do so.

Mr. J. then pursued a course of conduct that amounted to stalking, although he was not reported to the police. This behavior involved sending cards and gifts, following his fellow student home on the bus, and attending events where he expected her to be. He was spoken to by friends of the student, his tutor, and head of year and told to cease all contact; all to no avail. As it was a professional course, Mr. J. was eventually suspended from the course and could not be considered to return without being reviewed as fit to practice. He was referred to our service by his local health authority.

Mr. J. was overly compliant with the session requirements. He never missed a session, was always on time, if not early, and had dutifully worked on his session "homework." Mr. J.'s sense of entitlement to the relationship was clearly evident. He accepted that the student was not interested in his affections and he did not mean her any harm, but he felt that he could not afford to walk away from the relationship as that would leave him without a partner that he believed would make him happy.

Mr. J. described various "events" which he believed demonstrated the student's potential attachment to him. He described, for example, watching her flick her hair and smile at him and how he thought that this was a sign that her feelings reciprocated his. He accepted that they were not already in a relationship and his presentation did not meet the criteria for a delusional disorder. We considered whether "intimacy-seeker" would provide a better understanding of his motivation, but it became increasingly evident that his impaired social skills and understanding were major contributors to his stalking behavior and that he desired a relationship and had misinterpreted responses rather than holding a delusional belief.

Of significance was Mr. J.'s cultural background. He had had no previous intimate relationship and appeared to have been brought up in very constrained sheltered circumstances. His family had a strong Christian belief and Mr. J. said he had expected to have an arranged marriage had he stayed in his country. Faced with the completely different social circumstances of a large UK city university, Mr. J.'s social understanding was wholly ill-equipped to make sense of his experiences and consequently he applied what social rules he had to come to his erroneous conclusions.

The issue of functioning in intimate social situations was key in the intervention with Mr. J. Intervention sessions included teaching on UK society, developing an understanding that his interpretation was not suitable for his new environment. The sessions were assisted by Mr. J.'s conscientious approach and he applied himself to the session content and additional work with enthusiasm. Indeed, one of the challenges for Mr. J. was that he was almost entirely focused on his studies and had developed

no other social outlet. Mr. J. would bring to each session a list of questions about his experiences and what would be considered acceptable. He was rather concrete in his approach, wanting to write down clear answers and struggling to generalize from one situation to another. Instead, Mr. J. responded well to occupational therapy input, broadening his social experiences in a way that felt safe and appropriate for him, and giving him an opportunity to meet people he felt more akin to while also exploring his new cultural environment. He found it easier to learn in situ and would then use the psychology sessions to reflect on his new experiences. Mr. J. was able to "give up" his quest for this particular relationship. He applied to the fitness to practice panel and requested a transfer to a different course so that he would not come into contact with the student.

Intimacy-Seeker

Ms. F. was a woman in her mid-50s who had developed an attachment to the headteacher of the school where she had worked briefly as a meal supervisor. She had been divorced for a number of years and lived at home with her two children aged 17 and 19. Ms. F. had been convicted of harassment, the second conviction with this victim, and she was referred to the unit by her probation officer for a risk assessment and recommendations for sentence planning.

At the assessment, Ms. F. presented as a rather old-fashioned woman neatly dressed in, what had the appearance of, her best Sunday outfit. Ms. F. was quietly spoken and somewhat guarded in her responses, avoiding answering questions where possible. Ms. F. was very reluctant to talk about the headteacher, giving a shake of her head when we asked her about him and how she felt about him. Ms. F. sustained this approach for approximately 30 minutes, smiling at the assessor but saying very little. However, when we asked Ms. F. about the headteacher's partner, she became more agitated, told us that he did not have partner and her feelings about the headteacher started to emerge.

Ms. F. told us that he had spoken to her in a certain way when she had been working at the school and that she "knew" that meant she would be in a relationship with him. Even though she was no longer at the school, she would find reasons to visit and particularly to call into the office. Ms. F. then established where the headteacher lived with his partner and on occasions would attend near to his home, although she did not attempt to gain entry. Ms. F. was given a harassment warning and then an injunction not to directly contact the head-teacher. Ms. F. did not abide by these legal restraints and was convicted of harassment and given a community sentence under the supervision of probation.

There was a brief respite in the behavior, but Ms. F. soon resumed her efforts to contact the headteacher and things came to a head when she called at his home, the door was answered by his partner, and she pushed the partner against the wall and forced entry into the home. The headteacher was not at home at the time and Ms. F. accused the partner of attempting to break up the relationship she believed she had with him and threatened to harm her if she did not leave.

At the assessment, it was evident that Ms. F. continued to believe that she was the intended recipient of the headteacher's attentions and that the partner was pushing herself onto him in order to disrupt her own right to the relationship. Ms. F.'s fixed beliefs and presentation met the criteria for delusional disorder, and she had been referred to her local mental health service. A recent assessment had found that she did not meet the criteria for compulsory detention in hospital, and she did not see the need for any treatment and was thus disengaging with the community team except for occasional sessions with the team psychologist.

It was evident in our assessment that Ms. F. was in significant personal distress and an intervention pathway was not straightforward. In addition, there were some impending changes for Ms. F. that seemed likely to cause her further difficulty. Her two children were at the point of leaving home to go to college and both her elderly relatives were frail; added to this she was unemployed. There was a real prospect of significant psychosocial damage to Ms. F., as it looked as though in a short space of time she was facing multiple losses. Her risk of persistence was assessed to be high and without a psychological intervention was unlikely to diminish.

The best prospect of an intervention was through the limited relationship she had with the psychologist on the community mental health team. Ms. F. accepted a low dose of psychiatric medication, primarily in her view to assist with her distress. She agreed to see the psychologist to support her with the difficulties she was facing, and input focused on developing coping skills, emotion regulation strategies, and, not dissimilarly to Mr. J., expanding her social network. Ms. F. highlights the challenge of providing interventions to individuals with a delusional disorder, who do not meet the criteria for compulsory detention in hospital and are unlikely themselves to have insight into the need for treatment.

SUMMARY AND CONCLUSIONS

The National Stalking Clinic has been running since November 2011. During that time, it has seen a number of cases for direct assessment

and consultation with many more requests for advice and guidance on often complex presentations. Probation services find themselves responsible for supervision and intervention for the majority of these cases and access to psychological interventions that could potentially assist is limited. The clinic continues to be funded on a case-by-case basis, but pilot developments across the country are looking to provide better resourced and integrated approaches. This overview of the clinic will, hopefully, contribute to our broader knowledge of working with this client group so that our management and intervention can be more effective.

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The Danish Stalking Centre, 2019

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INTRODUCTION

The Danish Stalking Centre is an independent, non-profit organization. Its purpose is to prevent and stop stalking, thereby alleviating a social problem. All financial funds received by the organization are to be used in activities associated with the purpose of the Centre.

The work of the Danish Stalking Centre is at a societal level, where the aim is to develop and improve conditions for all individuals who have been affected by stalking. One of the Centre's tasks involves advocacy and influencing policy through local and national decision-makers. The Centre also works at an individual level to help empower victims and reduce negative consequences.

At an organizational level, the Danish Stalking Centre is composed of an *Intervention center* and a *Knowledge center*. The intervention center has departments in the two largest cities in the country, Copenhagen and Aarhus. The knowledge center has the same address as the intervention center in Copenhagen.

The organization currently has 13–15 staff members, in addition to interns. The intervention departments have a total of eight staff members. The other staff members work in the knowledge center and in administration. The organization's board members volunteer their time and are the Danish Stalking Centre's top management.

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The intervention center operates a helpline which is run by volunteer advisers and a professional consultant. The intervention center itself offers psychosocial counseling and legal advice, case processing, and psychotherapy.

TARGET GROUP FOR THE INTERVENTION CENTER

The intervention center's counseling and treatment is aimed at the following groups:

- Men, women, or children who are currently being subjected to stalking, who were previously subjected to stalking, or next of kin of a stalking victim. The target group includes persons who have been affected by stalking from a previous intimate relationship, other previous relationships, or strangers.
- Individuals who are stalkers are also offered treatment at the Centre. This applies to those who are currently stalking and who are assessed to profit from the Centre's psychotherapy with the goal of stopping the stalking behavior.
- Professionals may also seek support and guidance in specific cases they come across through their work, for example, municipal social workers.

THE CONCEPTUAL FRAMEWORK OF THE INTERVENTION AND ITS PERSPECTIVE

The Danish Stalking Centre's intervention originates from a mentalization-based treatment perspective, with a shared conceptual framework for counseling and treatment. This approach has proven beneficial for the Centre's clients. The close association between mentalization-based therapy and the strength of the individual's resilience has been shown to contribute to positive change for the Centre's clients. This connection can be seen when clients develop their capacity for action, and rediscover and reinforce their social and personal functional ability. Due to the close association between emotional regulation and mentalization, stalkers will benefit from this form of treatment.

Based on the overarching conceptual framework, the Centre utilizes a resilience-focused intervention model inspired by Alan Carr, which relates well to the Centre's holistic-oriented approach (Sommer, 2011). The intervention model describes factors that in tandem contribute

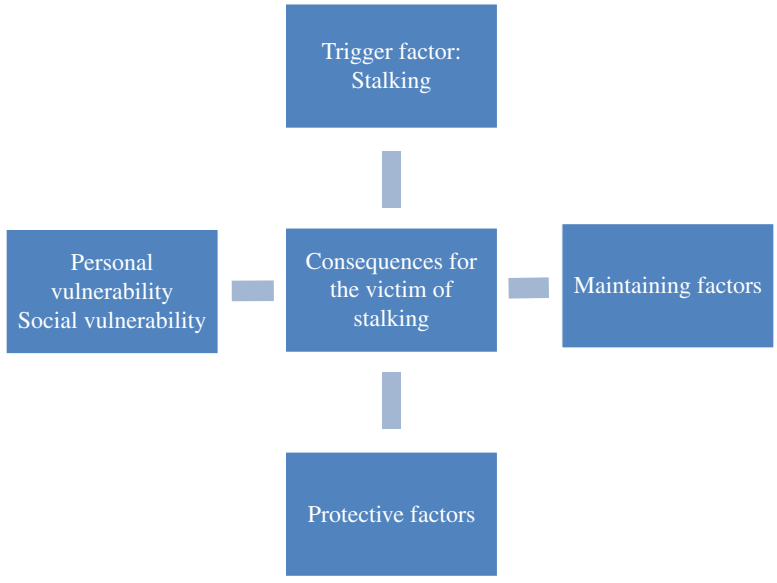


Figure 1 The intervention model is based on a holistic-oriented perspective of the victim and stalking situation. By identifying certain areas that comprise the model, it is possible to determine the client's specific needs for support, advice, or treatment with respect to the stalking situation.

toward the development of resilience, possessed by every individual, to limit negative psychological repercussions, such as fear, anxiety, or post-traumatic stress disorder (PTSD). These factors compose the trigger factor, maintenance factors, personal and social vulnerability, and protective factors (see Figure 1).

Intake interviews and the provision of counseling and psychotherapy focus on minimizing vulnerabilities and factors in each individual's life situation that cause stress and insecurity and that prolong these effects. The purpose is to develop the best possible resilience for the victim and minimize the negative consequences of stalking.

Intervention Model

The following provides a brief description of the factors and vulnerabilities the intervention model comprises.

Trigger Factors

Since stalking is the trigger factor, the victim is counseled and supported in taking relevant action to stop the stalking. For all victims, this

involves a "zero contact" policy. This means they must not communicate with the stalker and should accept help in establishing a chronological log schedule of the stalker's encounters. Furthermore, victims are advised on collecting evidence and documentation, and how to report the matter to the police.

Maintaining Factors

Persistent stalking incidents, lack of protection, an unbearable living situation, the stalker's access to the victim's home, isolation, insecurity, and fear are all factors that maintain and reinforce the negative consequences of stalking. Victims are therefore advised to shield themselves from the stalker and take measures to secure their safety by ensuring as much security in their daily lives as possible. They are also advised on their legal rights and opportunities. Currently, there appears to be a growing need for advice on IT security and digital stalking.

Protective Factors

The approach of Danish Stalking Centre concentrates on developing and utilizing the victim's own resources. Here, the social network is considered an important protective factor. The approach therefore focuses on supporting victims through maintaining relationships in their social networks. Involving these networks can help to secure appropriate measures after the course in Danish Stalking Centre has ended. The Danish Stalking Centre has developed a free security app for quickly contacting certain individuals in the victim's network, who can help to ensure his or her security, and to document the stalker's attempts at contact.

Personal and Social Vulnerabilities

Personal and social vulnerabilities, such as crises, traumatic experiences, significant loss, long-term sick leave, loss of employment, loss of social network, etc., are examined and incorporated when constructing measures to help the victim. Many victims are offered sessions with a psychologist, sometimes in combination with case processing by a social worker at the Centre.

HELPLINE

The nationwide helpline has provided counseling for more than 1,100 callers each year. Individuals affected by stalking call the helpline seeking advice and counseling with respect to their situation.

Approximately 70% of all calls are from stalking victims, although some callers are next of kin as well as professionals in other fields.

The primary goal of the helpline is to prevent repercussions of stalking and, if possible, eliminate stalking. This is done by providing help, advice, and support to clients in handling the problems they are facing, and by reducing the risk of social isolation among stalking victims. The approach of the helpline is based on the idea of help for self-help, where the focus is on activating the clients' own resources.

The helpline should therefore be viewed as an immediate, but limited, conversation, and the client can always contact the helpline again for further advice. If the client appears to require more extensive assistance, they will be referred to the professional intervention.

The helpline is run by volunteer advisers who are motivated to help other people. All volunteer advisers must complete a recruitment process, where motivation, maturity, and professionalism are assessed. During the recruitment phase, the Centre must determine whether the adviser is sufficiently robust and can provide advice and counseling within the boundaries of the Centre's policies and goals. There are no specific requirements for professional qualifications; however, the major share of advisers have higher education or are studying law, psychology, social work, or similar disciplines.

All new advisers must complete an introduction period where they are given knowledge of stalking, and equipped to handle different types of calls. During the introduction period, advisers participate in "listening sessions" with experienced advisers. They receive supervision when they first begin to take their own calls. To ensure continued professional development, volunteers receive ongoing supervision and attend evening seminars with relevant professional content.

Topics for the Helpline

Stalking has many facets, which means that no two helpline calls are alike. A helpline call will normally last about 30–45 minutes, and involve a broad scope of topics, including:

- assessment of the stalking problem;
- basic advice, safety, security, and shielding;
- documentation and how to make a log schedule;
- advice on contact with the authorities/police;
- involvement of social networks.

Some clients contact the helpline for help to determine whether what they are experiencing can be defined as stalking. Counseling in such cases involves sharing knowledge of the psychology behind stalking behavior. This helps the caller to understand the importance of maintaining zero

contact, and that stalking is a pattern of incidents with a purpose: to restore a relationship or compensate for a sense of injustice.

A large share of the provided advice deals with safety, security, and shielding. Here, the adviser's role is to offer guidance on the different courses of action and, together with the victim, determine whether or not these possible choices would work in the specific situation. Specific actions may include changes in routines and habits. When advising on changing phone numbers and privacy settings for social media, it is essential to think ahead, since the stalker's actions may also change and develop to become more subtle and therefore more difficult to document.

Given modern technological developments, especially the use of smart phones and social media, a large share of the basic advice and guidance involves digital stalking. This deals with things such as the use of strong passwords, sharing of information such as profile settings, geographic location services, and synchronization with other units.

In order to meet the growing demand for specialized IT advice, the Centre has involved a group of volunteer advisers with special IT competency. These IT volunteers assist in advising on cases that require a higher level of IT knowledge, and can serve as consultants and assist in training other advisers.

Challenges associated with documentation and collection of evidence is a common topic for the helpline. Here, the caller is advised to collect evidence that can clarify and substantiate that unwanted contact has occurred in the form of screenshots, surveillance photos, police reports, witnesses, etc. Callers are advised to keep a log of incidents using a systematic and chronological list or table of unwanted attempts at contact.

Many victims are uncertain of whether to involve the police in their situation. The helpline therefore offers information on the legal system and police procedures. This advice is meant to support the caller in preparing them for possible contact with the police, and to help them to prevent misunderstandings and an unnecessary use of police resources.

REFERRAL FOR PROFESSIONAL MULTIDISCIPLINARY INTERVENTIONS

Callers to the helpline can be referred to professional intervention. This is done in complex cases where there is a need for more comprehensive help and support, and where the stalking victim requires help over a

longer period. Victims who seek help in managing the psychological consequences of stalking are also referred for intervention.

Individuals who stalk can contact the Centre by email or on a separate phone line serviced by an experienced psychologist. This phone line provides direct access to a psychologist, who from the first phone call can begin to work on the stalker's motivation for changing behavior and starting treatment.

Other cooperative partners, such as women shelters, the police, etc., can refer individuals directly for professional help. This applies to both victims and stalkers.

Intake of Stalking Victims

The assessor carries out an interview with the client in order to make a total assessment of the extent of the stalking, the level of security and threat, relationship history, and the client's psychosocial situation. A screening is then performed using SASH (Screening Assessment for Stalking and Harassment) to select the correct intervention. If this screening indicates a high level of risk, a more comprehensive assessment of risk and threat is made using SAM (Stalking Assessment Management).

The clients' case is discussed in a meeting with multidisciplinary professionals, after which the client is offered services based on his or her individual needs. Services may be adjusted and adapted over time.

Intake of Stalkers

For stalkers, the intake process begins with the first phone call or contact. In this communication, an immediate assessment is made to determine whether the behavior should be defined as stalking and whether it would be suitable to offer treatment. In the first sessions in treatment, the psychologist makes a more in-depth assessment to determine whether the individual belongs to the target group.

Screening in Relation to Intake of Clients

During intake, both stalkers and victims must fill out online questionnaires, Status 1, which contain a validated test battery. The completed questionnaires function as a screening tool for revealing the psychological and social situation, which indicates the client's needs.

The test battery has been composed in consultation with Ask Elklit, Professor of Psychotraumatology, at the University of Southern Denmark. The test battery for victims includes questions intended to

uncover circumstances associated with the victim's social life (number of children, employment, etc.), expectations concerning the course of action, and the following tests:

- **Stalking Behavior Checklist** (SBC) examines different types of unwanted attempts at contact and harassment behavior. The checklist contains 25 questions.
- **Harvard Trauma Questionnaire** (HTQ) which consists of 31 questions, of which the first 17 address three symptom axes of the DSM-IV PTSD diagnosis: intrusion, avoidance, and hypervigilance.
- **Hopkins Symptom Checklist** (HSCL-25) has 25 questions that measure the presence and degree of severity of symptoms of anxiety and depression.
- **Trauma Symptom Checklist** (TSC) measures the incidence of negative affect, somatization, and dissociation.
- **Sheehan Disability Scale** (SDS) is a self-reporting instrument for assessing the functional impairment in adult outpatients. Based on the SDS, we can assess whether the client has social functional impairment across three domains: work/school, social life/leisure activities, and family life/home responsibilities.

The test battery for stalkers includes questions that are intended to uncover circumstances associated with the stalker's social life (number of children, employment, etc.), expectations as to the course of actions, motivation for stalking, as well as the following psychological tests:

- **HSCL-25** see above for description.
- **SDS** see above for description.
- **Inventory of Interpersonal Problems** (IIP) which is a self-reporting instrument that identifies a person's most salient interpersonal problems (Horowitz, 2011). The IIP is suitable for identifying psychological problems where the interpersonal component is a major part. Responses to a set of eight interpersonal scales describe characteristic ways of relating to others. The instrument also indicates the individual's attachment styles.

Upon completion of therapy sessions, both victims and stalkers fill out the online questionnaire, Status 2, responses to which will be compared to responses to Status 1. Status 1 and Status 2 are thereby used to evaluate the effect of the Centre's services at both an individual and general level.

Ongoing Evaluation and Adjustment of Services

The instrument *Feedback Informed Treatment* (FIT) is utilized for all psychotherapy, counseling, and guidance services provided in professional interventions. FIT is a dialog and evaluation tool used

both in Denmark and abroad. FIT consists of easy-to-use forms that are filled out at the beginning and end of every meeting, session, and advisory dialog. By using FIT, professionals can get a better idea of the client's overall wellbeing and experience of the treatment or service. It regularly provides an assessment of the treatment's progression so the intervention can be adjusted accordingly.[1]

PROFESSIONAL MULTIDISCIPLINARY SERVICES

The following describes elements that comprise the Centre's multidisciplinary intervention.

This refers to all multidisciplinary services, including legal casework, social service casework, and therapeutic treatment provided by psychologists.

A holistic approach means that the intervention in practice involves the combined qualifications of professionals that are relevant for the individual victim's stalking situation. For instance, a psychologist may work with stalking victims on self-soothing techniques and learning to trust others again. At the same time, the social worker may contact an employment service center to "translate" the victim's reactions to the caseworker and to ensure that the victim is not urged into work too early.

Social Work and Counseling

The Centre offers counseling from social workers to support the victim or next of kin and help them to find new courses of action, overcome self-limiting behavior, and bolster their own resources.

Sometimes, the function and task of the social worker is limited to intake interviews and designing interventions. However, the social worker's function may also be more comprehensive. For instance, the Centre's social worker may follow up on the victim over time and provide counseling. Counseling may be aimed at safety and security, everyday challenges, employment, housing, etc. In counseling sessions, the social worker can offer information about the client's rights and opportunities in the public system. A social worker can also assist clients in contact with authorities such as employment services, doctors, housing services, and so forth.

[1] Read more at https://www.centerforclinicalexcellence.com.

Legal Advice

The Centre's legal adviser offers legal advice and case processing related to the stalking situation of victims and their families. Legal topics in stalking cases are often highly complex and deal with several different areas of legislation. Specialized legal assistance may involve requests for a restraining order, advice regarding civil laws, correspondence with prosecuting authorities, assistance in the process with contacting the police and serving as a party representative, advice on custody laws, and so forth.

Our experience shows it is crucial that stalking victims receive help in a safe environment in order to build capacity to understand their legal rights and opportunities. Many also need help to organize the documentation needed when contacting the police.

PSYCHOTHERAPY AT THE DANISH STALKING CENTRE

Both during and after a stalking trajectory, many stalking victims exhibit symptoms of stress, anxiety, and depression. Victims also often have feelings of shame, guilt, powerlessness, and self-blame, which can result in social isolation. These factors serve to create and maintain the negative consequences of stalking. The following sections describes how a mentalization-based perspective is used in treatment, and how other themes are broached during therapy with stalking victims, their children, next of kin, and stalkers.

Mentalization in Psychotherapy

Mentalization in relation to others is necessary for healthy interpersonal relationships and is a key element of psychological health in general. Mentalization is closely associated with emotional regulation. This means that impaired mentalization is often accompanied by impaired emotional regulation, as strong emotions may affect a person's ability to mentalize. During psychotherapy, a focus on improving the ability to mentalize will also strengthen the ability to regulate emotions. A mentalization-based approach to psychotherapy helps the stalking victim to take competent action in a chaotic life situation.

In terms of method, mentalization-based therapy is not a new form of treatment. Mentalization plays a fundamental role in all forms of psychotherapy. What is unique about this method is its specific focus on facilitating mentalization that is more explicit and verbalized.

Therefore, the mentalization-based approach can be viewed as a general conceptual framework, which at a methodological level may contain elements of several therapeutic directions, including cognitive therapy, narrative methods, psychodynamic approaches, etc. (Allen, Fonagy, & Bateman, 2010).

The high level of stress, insecurity, and fear experienced by stalking victims will often have a negative impact on the ability to mentalize. This makes it difficult for victims to understand themselves and others, and difficult emotions may seem overwhelming. Stalking victims experience many different situations that demand an overview and ability to take action. Here, if there is a feeling of being paralyzed and burdened by fear, this reinforces the sense of losing control. With a therapeutic focus on strengthening mentalization, victims will feel more able to regulate their emotions and have better control over their own reactions. Attention to mentalization and knowledge of self-soothing techniques can be especially helpful for stalking victims who must function as parents while stalking is going on.

Improving a client's ability to mentalize is also relevant in psychotherapy with stalkers, when difficult emotions associated with loss, betrayal, or a sense of injustice impair the stalker's capacity for mentalization. When this occurs, it means that emotions and impulses are largely controlling the stalkers actions. Also, impaired mentalization limits the stalker's ability to understand the impact of the stalking behavior on the victim.

PSYCHOTHERAPY FOR STALKING VICTIMS

The Danish Stalking Centre offers psychotherapy for victims of stalking and their next of kin. In psychotherapy treatment there is a general focus on bolstering the client's resilience and dealing with reactions of trauma from stalking, in order to maintain and strengthen the victim's own resources, their ability to take action, and their level of daily function.

When a stalking victim begins psychotherapy, the information from Status 1 provides understanding of how the victim has been affected by the situation. The course of treatment is adjusted to address the individual's challenges in daily life. For instance, some clients may have anxiety symptoms, and will receive treatment for these symptoms. Others may require help to understand how the stalking situation has changed them and led to difficulties in social relationships. Before starting psychotherapy, the victim has often already

received counseling and advice from the social worker and/or legal adviser. This support will often continue during the course of psychotherapy. Our experience shows that victims usually require more than just the therapeutic space. In other words, psychotherapy is not always sufficient, given the complexity of most stalking cases.

Around 70% of stalking victims undergoing psychotherapy are experiencing active stalking. Half of these have experienced attempts to contact during the last month (Danish Stalking Centre's data collection, Status 1, $N = 163$). Due to the unpredictable nature of stalking, it may take a long period of time, after the last encounter with the stalker, before the stalking victim feels certain that the stalking has ended, and they can begin to process the effects of the stalking experience.

Once the stalking has stopped, therapy will have greater focus on the treatment of trauma. It is essential to note that delayed reactions to stalking appearing during psychotherapy cannot always be viewed separately from earlier life experiences. These reactions must be understood on the basis of both vulnerabilities and protective factors in the individual's life.

The major share of psychotherapy consists of weekly individual sessions at one of the Danish Stalking Centre departments. Some sessions may be carried out by phone or online therapy due to the geographic distance of the Centre's departments. Exclusion criteria for participation in treatment may include alcohol or substance abuse, or severe psychiatric disorders.

Commencing Treatment

The first sessions with a stalking victim involve identifying the primary foci of treatment and building trust between the psychologist and the client. Many victims state that they have trouble trusting others after a stalking experience, as well as now doubting their own judgment of other people. These topics will often occupy the first few sessions, and along with the mentalization approach, there is a focus on building a trusting relationship with the psychologist. Good mentalization relies on a sense of security, as overpowering emotions and insecurity tend to inhibit mentalization. In this initial phase, the psychotherapy focuses on the individual's mentalization ability, both during the therapy session and in daily life. The content of the first few sessions will therefore often consist of psychoeducation on trauma reactions, reactions to stalking, and on finding self-soothing techniques to use for reducing anxiety and apprehension. This helps the client to find "islands of calm and safety" in daily life.

The Treatment Process

A high percentage of stalking victims experience active stalking while in treatment. This group cannot be offered trauma therapy, but will instead be supported in efforts to gain as much safety and security as possible, and by strengthening general resilience.

With the aim to strengthen general resilience, that is, by improving mentalization and therefore the client's understanding of and curiosity about their own mental state, the following elements are especially relevant in the course of therapy:

- **Awareness of one's emotional state.**
  During the sessions, the client is asked about their emotional state and bodily sensations. This supports clients in becoming aware of their own mental state and emotional regulation. For instance, talking about the stalking experience and "talking oneself" back to the experience of intense anxiety. The psychologist pauses and asks about, for example, anxiety and bodily sensations here and now, using relaxation techniques during the session.
- **Understanding of the experience.**
  While talking about the stalking experience, the significance and meaning the client attaches to the stalking experience is explored. Many victims feel self-blame and shame, and conclude that they are a bad judge of character, or that they are to blame in some way for the stalking. Focus on black and white thinking (intolerance of ambiguity) will be included in this topic. For instance: "I can never trust men—no one understands—I don't deserve better—everything goes wrong for me." These rigid thought patterns indicate impaired mentalization, and contribute toward the maintenance of a hypervigilant state.
- **Coping strategies and survival strategies in a stalking situation.**
  When working to minimize trauma reactions, there is a general focus on resources that help strengthen the client's resilience and ability to take action. To achieve this, the psychologist and client work together to explore positive strategies the client has used during the experienced stalking. For instance, the psychologist may point out that the client has ensured a stable daily life for the client's children, has been good at organizing documentation, etc. In addition to this, there will be a focus on patterns of behavior that were useful during the stalking situation, but that have now locked the client in a detrimental situation. For instance, clients may have withdrawn from others as a way to protect themselves, because they did not feel understood. If the client maintains this strategy, there might be a detrimental distance in the client's relationships.

Example Stalking Victim

Anna contacted the Danish Stalking Centre because she has been stalked for a couple of years by an ex-boyfriend. She thought that the stalking had stopped, but a couple of months ago, she found his name on a list of participants for an evening course. She broke down, and experienced the recurrence of earlier reactions, poor sleep, poor concentration, rapid heart rate, etc. Her otherwise eager job hunting came to a halt, because she was unable to concentrate. For many days she chose to stay inside her apartment because she was afraid to see him on the street. She is now on sick leave.

Anna is offered treatment by a psychologist. During the first session, she recounts the stalking experience. She is nervous and cries when talking about it, and the psychologist stops her now and then to shift the focus to self-soothing techniques. The psychologist tells her about the typical reactions to stalking. During the first session, the psychologist also attempts to identify Anna's expectations for treatment. Anna tells that she has lost contact with her friends during the stalking experience, and that she now has no one to talk to. She wants help to overcome her anxiety, go out and spend time with others, function in her daily activities, and begin to enjoy life again.

During the therapy sessions, it becomes clear to Anna that she has been blaming herself for being stalked, and that she has lost faith in her own judgment. She no longer dares to open up to other people. Through the course of treatment, Anna gradually releases responsibility for the stalking and notices a new sense of anger over what she has been subjected to. She experiences this anger as a driving force that will help her move forward. Anna realizes that she has been withdrawing more and more during the stalking period, and that she has not had the energy to do anything other than collect documentation, contact the police, etc. She has stopped contacting friends, and rejects them when they contact her. At the same time, she feels her friends have let her down. While undergoing treatment at the Danish Stalking Centre, she resumes contact with an old friend.

While in therapy, Anna also receives help from the Centre's legal adviser to request an extension of the restraining order she has had for a few years. Near the end of her treatment, Anna participates in a few "café evenings" at the Danish Stalking Centre, where she finds it liberating to listen to others talk about their experiences. She offers to tell her story to a journalist. When Anna reads her story in an anonymized form, she says that it feels like she can now put the stalking behind her and move on.

Concluding Treatment

Psychotherapy may be conducted over a four- to six-month period, with up to 15–20 sessions. The last few sessions will deal with new courses of actions and the changes the client has noticed in how they deal with emotional states and relationships.

INTERVENTION FOR CHILDREN AND FAMILIES OF STALKING VICTIMS

Children and next of kin of stalking victims can be offered psychotherapy if they have been included in, or affected by, stalking, and if the stalking has had a negative psychological effect on them. Duration and content of treatment for next of kin and children is adjusted to fit each individual's particular challenges.

The child's perspective is normally included in all counseling and treatment. Three-fourths of all stalking victims receiving help at Danish Stalking Centre's professional intervention department have children. Of these, 60% have children under the age of 18 (Danish Stalking Centre's data collection, Status 1, $N = 229$). When speaking to stalking victims, a focus is always maintained on assessing the safety of the children, and offering assistance as needed. Assistance may involve psychotherapy for the children (directly), or counseling from a child perspective to the parents (indirectly).

Direct Child Perspective

Some children are offered psychotherapy adapted to the needs of the individual child. An average course of treatment includes about 10 sessions. Treatment can deal with getting the child help and support to handle feelings of insecurity. In other cases, it may involve working on trauma reactions or more complex problems; for instance, if the stalking occurred during a divorce, where one parent is stalking the other. Furthermore, the treatment process can also include contact and cooperation with schools, preschools, or social welfare authorities.

Indirect Child Perspective

Other children, usually smaller children, or those unable to attend sessions, receive indirect help through their parents, whenever appropriate. Here, parents are encouraged take notice of their children's experiences of stalking, and are counseled on how to support their children, and talk about stalking at an age-appropriate level. They are also assisted in how to create a secure and stable life for their children. Overall, these sessions focus on supporting, stabilizing, and strengthening parental competency.

Support Groups and Café Evenings

The Danish Stalking Centre offers support groups for stalking victims, aimed at ending isolation, sharing knowledge about stalking in general,

and psychoeducation regarding reactions to stalking. Support groups give victims a place where they feel understood and can mirror themselves in others and their experiences, and inspire one another to find new courses of action.

Café evenings are held on a regular basis, where the Centre's clients and next of kin are invited. The professionals at the Centre give presentations on stalking, and there are opportunities for people to share experiences of being stalked or of being a family member of a stalking victim.

PSYCHOTHERAPY FOR STALKERS

Since its opening in 2015, the Centre has offered psychotherapy for persons exhibiting stalking behavior. After opening a direct helpline for stalkers in the autumn of 2018, the number of inquiries from stalkers has dramatically increased. These are primarily individuals who are stalking ex-partners and seeking help. Some have been referred through cooperation with the police, which means that individuals consent to the police sharing their contact information with the Centre, so that a psychologist at the Centre can contact them.

Therefore, at present, stalkers who are in treatment at the Centre are generally individuals who seek treatment of their own free will, because they feel they have lost control over their behavior. Status 1 responses for stalkers generally depict a group of individuals that struggle with depression, anxiety, and/or attachment issues, who are currently in a life crisis, have suicidal thoughts, and have trouble managing issues such as grief and loss.

Only rarely do both parties in the same case (both victim and stalker) receive help at the Centre at the same time. If this situation occurs, steps are taken to ensure the safety of the victim, and to avoid situations where the stalker's need for contact is fueled by meeting the victim in the waiting room before treatment.

General Information about Treatment of Stalkers at the Danish Stalking Centre

Several instruments are used for determining the correct treatment of stalkers. The Stalking Risk Profile (SRP) is used as a guideline to identity the type of stalking, and as a risk assessment for the victim.

Information from a stalker's Status 1, and the IIP, are used to assess whether the client will benefit from treatment at the Centre, and to determine treatment goals. Exclusion criteria include alcohol or substance abuse, or severe psychiatric disorders. All this is used to examine underlying factors that may initiate and maintain stalking behavior.

In cases where the stalker is in contact with, or has been in contact with, the mental health system, the psychologist will obtain information about diagnosis and treatment prior to the initial sessions. Cooperation with mental health services and the Danish Stalking Centre may be established to ensure consistent treatment between the different facilities.

When relevant, such as if there are symptoms of chronic depression or substance abuse, the psychologist may assist the stalker in contacting their general practitioner or treatment center for substance abuse. In this case, cooperation is often established, which can consist of frequent contact between the psychologist and doctor regarding medical treatment for the stalker's depression. As in the treatment of victims, some sessions with stalkers may be carried out by phone or online therapy. Most psychotherapy, however, involves weekly individual sessions at the Centre's departments.

When working with this target group, the psychologist must ensure a non-judgmental culture and acknowledge the client's mental state, such as difficult emotions underlying the stalking behavior. At the same time, the psychologist must be clear and transparent in their views of stalking, placing responsibility on the stalker for the stalking. Acknowledgment as a starting point is important for building a relationship between stalker and psychologist, where relapses and failures can be shared.

Beginning Treatment

During the first few sessions, the psychologist together with the stalker examine the trigger events associated with stalking, as well as potential prior history with stalking, and determine the level of general reflection and mentalization capacity.

There are two overall themes in this initial phase: the motivation for change and current changes in behavior. Motivational work involves ensuring the client's understanding of stalking behavior as problematic. The psychologist and stalker work together to explore whether motivation for therapy is external or internal. External motivation may, for instance, be the hope of getting the ex-partner back, if the stalker can

stop the stalking behavior. Internal motivation may involve getting out of a personal crisis, regaining daily function, hope for the future, resuming a good relationship with one's children, etc. An internal motivation is generally the best foundation for stable attendance in therapy, and for taking responsibility for one's own behavior. In other words, it is the best starting point for change.

Current behavior changes are also an important topic in early therapy. In this case, cognitive behavior-regulating methods are utilized in the form of emergency plan and coping cards (e.g., three things you can do instead of stalking), prepared together with the client. This also includes a chain analysis of experiences up to the time the stalking began, consequences of the behaviors, and sharing thoughts and feelings associated with stalking.

Course of Treatment

The overall framework for treatment is mentalization. The aim of this is to improve the stalker's general awareness of own feelings, and reasons for their own behavior, and thereby strengthening the ability to regulate emotions. Furthermore, the mentalization-based approach also focuses on the ability to interpret and understand the behavior of others in a more nuanced manner. The following elements are especially relevant in the course of treatment for stalkers:

- **Understanding the factors that have influenced the initial stalking behavior.**
  Some experience a life crisis simultaneously with the ending of a long relationship, for instance losing a job. This crisis may be a trigger factor, and emotions associated with this are handled through behaviors that involve repeated attempts at contact and anger in the form of threats, and so forth.
- **Understanding why the stalking continued.**
  The fixation on the victim may for some be understood as survival strategies that have developed throughout childhood. Some stalkers may have experienced childhoods characterized by abuse or neglect. This may lead to an insecure attachment style, which makes them especially vulnerable when attempting to cope with rejection and abandonment. They may also have impaired mentalization and weak impulse control.
- **Understanding consequences for the victim.**
  It is often difficult for the stalker to understand how attempts at contact, threats, and surveillance affect the victim. Strengthening mentalization through therapy may help to improve the stalker's

ability to empathize. This contributes to maintaining changes and prevent relapse.

Treatment may involve other elements that are aimed at the client's specific problems. The social network may be drawn in as a support system during periods when the stalker's impulses are especially strong. For instance, a stalker can make an agreement with a good friend to contact them when the stalking impulse is strong. For others, it is important to establish a new network, for instance after a divorce, and treatment would therefore focus on how the client can build new relationships.

It is our experience at the Danish Stalking Centre that the most effective treatment of stalking behavior is aimed at the client's underlying problems that cause the stalking. A common theme is learning to understand oneself and others and improving the ability to regulate one's own emotions.

An Example Stalker

A woman who was stalking her ex-partner initially spoke about how her body simply drove past the victim's house. She felt she had no control over her behavior. In therapy, she continually spoke about how her ex-boyfriend (victim) had stopped all contact in a terrible manner, and about his reprehensible behavior. The psychologist repeatedly stopped her continuous speech and asked the woman how she felt about all this.

Gradually, the woman's curiosity about her own reasons for not giving up on her ex-boyfriend was piqued. She realized that she had some behavioral patterns that she alone had to change. She understood that the breakup with her ex-boyfriend was only a trigger factor, and that there were many other important reasons for her stalking behaviors associated with her own life and her own way of managing her emotions. It gradually became possible for her to be aware of other feelings apart from the anger and sense of injustice she had initially been feeling. She could then begin to talk about the grief and difficulties of being alone. Simultaneously, her understanding of her ex-boyfriend's breakup became more nuanced as she began to express that her ex-boyfriend might have had his own reasons for breaking off the relationship in such a definitive way. It gradually became easier for her to understand herself and her ex-boyfriend, as well as identifying certain feelings such as loneliness, as an underlying cause for her behavior. This meant that she, among other things, contacted some old friends, which meant she was able to behave in a more appropriate manner in relation to fulfilling her need for contact with other people.

Concluding Treatment

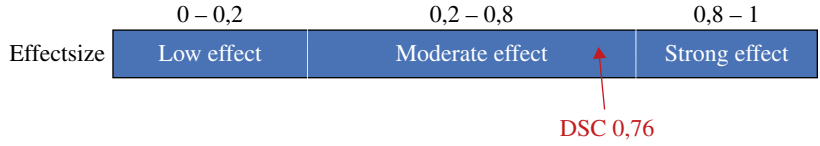
When the stalking has stopped and the psychologist and stalker have determined that the risk of relapse is minimal, therapy is concluded. The final part of treatment involves a perspective on the future, where strategies for potential relapse are discussed. General benefits from treatment are also evaluated.

Stalkers are normally offered 10–20 sessions over 6 months to 1 year, and treatment is concluded after an assessment of each case. FIT is used during the course of treatment to ensure the best possible benefit of treatment, and each session includes a dialog on the effect of treatment.

KNOWLEDGE OF THE TARGET GROUP AND EFFECT

A central part of the Danish Stalking Centre's work is to continuously follow and assess the changes and effect of treatment and services on the clients. Across the Centre's services and target groups, positive changes within the client have been demonstrated. The client's own feedback to the Centre's services also indicates a high degree of satisfaction.

One way to determine the professional intervention effect from various professional services and target groups is by applying the measurement instrument FIT. Overall, these measurements indicate that clients are normally in distress at the beginning, but that treatment and services in total have a moderate to strong effect.



The above is an assessment of how services in total have had a positive effect on the clients. In order to determine the type of effect the clients are experiencing, the following sections describe the total sum of the clients' perceived challenges and psychological distress.

Victims

Among victims receiving professional interventions, the data indicates that this group initially has a profoundly impaired psychological function. A common factor for this group is that they experience a high degree of distress related to stalking.

At the beginning of treatment, 83% of the victims have impaired function that requires treatment, distributed across three central areas of life: family life, recreational, and social life, as well as work life. This means that they are experiencing negative consequences that inhibit their daily lives. Furthermore, 75% exhibit symptoms of anxiety and depression, and 76% have symptoms of PTSD. These symptoms include, among others, flashbacks, hypervigilance, and impaired memory and concentration. Additionally, physical reactions such as headaches, muscle pain, and digestive issues are also present. Altogether, it appears as if the experienced negative consequences strongly reduce the health and wellbeing of the victims and impact their coping mechanisms.

An analysis of the data does not indicate significant correlations between other stated circumstances and the experience of the abovementioned symptoms. Special factors such as physical violence, if the stalker is an ex-partner, or the presence of mutual children do not appear to have a significant correlation with the abovementioned symptoms.

A comparison of Status 1 and 2 shows a clear positive psychological effect on change. Results indicate that the number of stalking victims in need of treatment with an impaired function in terms of social life and family life is more than halved. Similarly, the number of victims that struggle to function at work is nearly halved, which means that far more victims can return to a more resourceful daily life as self-supporting citizens.

Qualitatively, victims state that they have significantly benefited from treatment. They state that they have received tools to help protect themselves and their children, and to manage their everyday lives. After concluding treatment, 89% state that they feel better and that they have regained control over their lives.

Stalkers

Among the stalkers the Centre has been in contact with, two-thirds have participated in treatment. The remaining one-third primarily includes clients with major personality disorders or psychiatric disorders, who were therefore referred for psychiatric treatment.

The group of clients who were in treatment for stalking behavior is comprised of 35% women and 65% men. In 80% of these cases, the individuals were stalking an ex-partner. Furthermore, it should be noted that 80% have previously been treated by a psychologist, and 61% have or have had a psychiatric diagnosis.

Based on the total data regarding stalkers, it appears to be a group that are experiencing a high level of psychological distress. Based on

FIT measurements, stalkers show such a high degree of distress that the therapists must have a focus on whether the client has suicidal thoughts. Nearly all of the stalkers in treatment show a strong indication of depression, as well as signs of impaired function requiring treatment in the three life domains: family, recreational, and work life.

The basis for a valid assessment of treatment effect for this group is, however, still insubstantial. Experience from therapy cases indicates that clients who stalk generally show good compliance and usually complete a course of treatment consisting of 20–30 sessions. Most clients have considerably improved by the end of treatment, and most discontinued the stalking at an early stage of treatment. Our impression is that stalkers tend to use the therapeutic space to understand themselves and prevent relapses. More precise figures regarding the effect of treatment will be available in the next couple of years.

Qualitatively, stalkers report a high level of satisfaction and benefit from treatment. They state that they have received tools to help them understand themselves and their behavior, and how to regulate their need for contact.

KNOWLEDGE CENTER

Since the founding of the Danish Stalking Centre, a key priority has been to establish and implement a knowledge center. The tasks of the knowledge center include documentation, knowledge generation, communication, and project development. The goal is to support a continuous quality improvement of the center and develop its methods and activities. Another goal is to support external cooperation and development projects.

Data Collection and Analysis

A special focus of the knowledge center's work is to collect relevant data. The task in this context is to secure a database that can be used for documentation, internal competency enhancement, and for knowledge generation about the target groups and stalking in general. The knowledge center must ensure that data collection is carried out in a systematic and methodologically sound manner for research purposes. The knowledge center's staff therefore have academic backgrounds.

The database at Danish Stalking Centre is both quantitative and qualitative. The quantitative database is composed of monitoring elements and questionnaires. As a continuation of the quantitative data

collection, the knowledge center's task is to collect and analyze data, so the results can contribute to the documentation and further development of Danish Stalking Centre's activities. Another task for the knowledge center is to continuously ensure the quality of data collection, with focus on the methodological framework, and to assess whether relevant information has been uncovered.

In relation to data collection and knowledge generation, the goal, besides contributing internally, is to provide relevant and useful data for research and exemplifying the phenomena of stalking. The knowledge center's work is therefore intended for both the national and international community.

Information and Awareness

Another element of the knowledge center's work is communication and information about the Danish Stalking Centre's services and the phenomena of stalking. This is, for instance, communicated through the Centre's website, where focus is on easy-to-understand information on stalking and the Centre's services, including search engine optimization, for example, for Google. The data indicates that approximately 40% of all those who contact the Centre for advice first visit the Centre's website. In addition to the website, knowledge of the Centre's services among professionals within the police, municipalities, other counseling centers, and so forth is essential for communicating information about the Danish Stalking Centre. Printed material such as posters, brochures, business cards, and so forth also help spread information.

The knowledge center works to spread information about stalking among the general population. The purpose is to ensure that as many people as possible have knowledge of stalking and recognize stalking as a social problem. To support this work, the knowledge center is continuously contributing to the media with perspectives, knowledge, and cases. This may involve submission to newspapers or other printed media such as professional journals, or TV and film production.

Project and Method Development

In order to continuously improve competency enhancement and develop the Centre's internal services and management of stalking in a Danish context, the knowledge center has become engaged in various development projects. Projects focus on developing "best practice," and require local anchoring and testing of measures and methods.

A future perspective for the work at the intervention center is to continue to develop the entire range of counseling and treatment services.

The aim is to hone and refine approaches for counseling and treatment, thus creating more positive changes for all service users at the Danish Stalking Centre.

The Danish Stalking Centre is specifically considering the development and inclusion of physical approaches and methods in the Centre's range of services. This may involve using the National Acupuncture Detoxification Association protocol (NADA: ear acupuncture used to relieve acute stress, abstinence symptoms, anxiety, or sleep disorders), yoga practices, as well as strengthening the professional intervention through focus on breathing and meditation, as means to achieve greater calm and develop better control of emotions for both victims and stalkers.

COOPERATION ACROSS AUTHORITIES AND SECTORS

From a societal, holistic (human), and preventative perspective, it seems reasonable to prioritize and strengthen multidisciplinary efforts against stalking, not only on a national level, but also locally, where victims seek help from the police, municipal social services, employment services and family counseling centers.

Project Cooperation with the Police

The Danish Stalking Centre has carried out projects to develop practice in cooperation with the police and prosecuting authorities. This has resulted in the development of specific *guidelines and action plans* for the rapid and effective management of stalking cases. It also includes guidelines for police referrals of victims and stalkers for counseling and psychotherapy at the Danish Stalking Centre. Clients are referred after providing written consent. Referred individuals must sign a consent form requesting that the Danish Stalking Centre can contact them for counseling and other services at the Centre. Furthermore, some of the project activities have included competency enhancement courses and workshops for the police, prosecuting authorities, and the police call-center, which is the phone line for first contact with the police to submit information on stalking. An experience and knowledge sharing group has also been established, comprised of key individuals from the noted units, aimed at ensuring the continued development and embedding of efforts. The group meets three or four times a year together with a consultant from the Danish Stalking Centre, who acts as a professional source of support.

The police have conveyed that they now have better working conditions for stalking cases due to the new action plans, and can utilize their resources more efficiently in cases where stalking victims have been in contact with the Danish Stalking Centre. They believe this is because victims are well-prepared and advised on handling the problem and taking precautions. They have also collected evidence and documentation, and have filled out a log with incidents in chronological order, making it easier for the police to gain an overview of the case. The police say that they previously used large resources on victims that were emotionally affected and gave disjointed accounts, where officers were unsure of what to do with the victim. Feedback from many stalking victims is that they and their reports are now taken seriously by the police, and are met with information, insight, and understanding.

Successful projects for ensuring quicker and better help from the police have formed the basis for the development and implementation of national guidelines by the National Police of Denmark for the management of stalking cases. These were introduced in 2017. The guidelines stipulate that the police can refer victims (and stalkers) to the Danish Stalking Centre, and seek advice and guidance from the Centre in stalking cases, or when uncertain about risks associated with a stalker.

Project Cooperation Between the Police, Municipality, and the Danish Stalking Centre

As part of the Danish Stalking Centre's strategic objectives, the Centre is working to develop preventative interventions and cooperation concepts for implementation throughout the country. This is based on the hypothesis that efficient case processing and correct advice from municipalities and police will increase the likelihood of stopping the stalking. It is also believed that it will reduce the risk of long-term stalking, that the stalking will lead to physical violence, or that the stalking begins to affect the victim's children and social network. One of the goals of the Danish Stalking Centre is therefore to seek and establish partnerships and cooperation *across* authorities such as the police and municipalities. The goal is to do away with the traditional silo mentality between authorities and sectors, and instead *build bridges* between municipalities and the police, thereby encouraging multidisciplinary dialog and cooperation across sectors and units.

One such cooperative partnership project was carried out with great success in the two-year project "Safe in Esbjerg" (2017 and 2018). This was a pilot project involving cooperation between the country's fifth

largest municipality, Esbjerg, Esbjerg Police, and the Danish Stalking Centre. The project drew on the Centre's experiences and results from previous police cooperation. The goal was to strengthen and optimize local and municipal efforts through multidisciplinary competency enhancement of relevant professionals. Another goal was to create a model for multidisciplinary cooperation, and for project experiences and results to be used as sources of knowledge and inspiration for other municipalities and police forces across the country.

The overarching goal was for stalking victims to be taken seriously and to receive social and legal help and protection as quickly as possible. The most important issue, however, was to prevent the severe consequences of stalking and to stop stalking behavior.

Key Persons in the Project

The project's target group of professionals included social workers, educators, teachers, psychologists, doctors, nurses, and case workers with the State Administration and the police. These are often the people that stalking victims first turn to for help and support, due to psychosocial problems. Municipal caseworkers are often sought out in relation to sick leave absences and financial or employment implications. Social services, family counseling services, and educational-psychological professionals may be involved due to problems with children of stalking victims. This is for instance seen during divorce or custody cases, where one parent is stalking the other. Stalking victims also frequently visit their doctors or psychologists due to psychological and somatic symptoms (Johansen, Tjørnhøj-Thomsen, & Helweg-Larsen, 2013).These professionals must therefore possess the necessary knowledge, competencies, relevant screening instruments, and courses of action.

Cooperative Model and Special Stalking Unit

During the project period, it was important to establish a multidisciplinary cooperative model for the police and municipality, and to develop and optimize procedures and action plans for stalking related issues. Another goal was to establish a special unit with selected staff with special knowledge of, and experience with, stalking. The aim of the unit was to ensure the best actions for stalking issues, as well as continual competency enhancement for colleagues in the municipality. The function of this unit was to:

- Serve as the municipality's intake unit, where victims could be referred by municipal staff and the police. The task here is to screen and prepare a comprehensive assessment, to contact the correct

person in the municipality or police, and to provide advice, guidance, and support for the victim.
- Cooperate with other authorities and sectors for case processing.
- Act as a supportive partner for colleagues in stalking cases.
- Refer complex cases to the Danish Stalking Centre.

Competency Enhancement of Professionals

The project's path to achieving the goal of professional competency enhancement has been achieved through seminars and follow-up workshops, the establishment of multidisciplinary network groups that meet and share experiences and knowledge, and the provision of advice and supervision. Experiences from previous cooperative projects have shown that the appropriate efforts with regard to a "new" type of victim work best if they take place over time.

In our experience, the first seminar often initiated a process for changing attitudes among police case workers that resulted in better insight and competency in identifying stalking victims. Subsequently, these professionals then became aware of the complexity and special circumstances of cases, which enabled them to act in the appropriate manner. These professionals gained insight and a better understanding of how to help stalking victims. Nevertheless, follow-up workshops are also necessary.

Multidisciplinary Network Groups and Professional Discussions

The establishment of a multidisciplinary network group, with participation from key individuals across the municipal sectors and units (and the police), together with the special stalking unit, will ensure the continued development of experience and knowledge about stalking, thereby strengthening municipal efforts. These meetings may include presentations and discussions on selected topics. One of the Danish Stalking Centre's consultants participates in these meetings as needed, as a source of support.

Danish Stalking Centre acts as a supportive partner to professionals, such as case workers in social services, the employment service centers, or professionals in educational and psychological networks. The Centre offers general and specific advice, as well as guidance in stalking cases, also for the police. The Danish Stalking Centre's psychologists and information consultants hold seminars and workshops, facilitate network groups, and provide professional guidance.

Successful Results

Both the administration and staff at Esbjerg municipality and Esbjerg Police are enthusiastic about their participation in the project, which

they believe has had great importance for their professional development and the improvement of services in their daily work.

The number of professionals attending instruction on stalking was originally set at 40 individuals; however, more than 110 professionals have now participated in both seminars and workshops (inhabitants of Esbjerg municipality: 115,900). One thing the Centre has learned from leading seminars and workshops, and from the implementation of a cooperation model with tools for casework and management, is a new awareness of how other professionals work, and their scope of activities.

When evaluating the project, participants have commented that the distance between professionals has become smaller, and that case processing is now more efficient. They feel they are better able to help victims, as there are now action plans and screening instruments intended to ensure the best possible assistance. Many have expressed that they can now perform their work activities in a far more satisfactory manner.

The police have especially found this positive, and as one participant expressed: "I have learned what a social worker can do when I'm sitting with a case where we have to evacuate and protect a victim and her family. Now I know who I can call for help in dealing with a case like this. I've never had these opportunities before" (Quote, police professional). And from a professional at the municipality, "… now I know who I can call at the special unit if I don't how to provide advice or counselling in a specific case. (Quote: professional who encounters stalking victims at the Danish Employment Services). One person from the special stalking unit stated: "It's good to know that the victims no longer have to run around through the system in confusion and have two meetings with one person and three with another before they finally give up." The establishment of a cooperative model and special stalking unit has not only secured better help for the victims, but has also saved resources for the system and staff who can provide far better and more focused efforts.

The special stalking unit has noticed a growing number of referrals for citizens who have been subjected to stalking. At first, there was only one referral monthly, while now the unit receives about five referrals a month—and this is just the beginning.

The municipality's focus on stalking has made it easier to notice when stalking takes place in the community, at workplaces, and among employees. Several municipal employees have also been exposed to stalking by individuals through their work. The Esbjerg municipal work environment organization has therefore developed and implemented a specific plan of action in cases where municipal employees

are being stalked. This is similar to the municipal plan of action for physical violence against municipal employees.

FUTURE GOALS FOR DANISH STALKING CENTRE

The Danish Stalking Centre's overarching vision that *No one should live with stalking—everyone has the right to a free life* is a key component of the Centre's strategy goals for 2020. To achieve this, the Centre has prepared a Policy Paper, with special focus on six areas for improvement:

- Political, legal, and social acknowledgment of stalking as violence.
- Criminalization of stalking, through the adoption of special stalking laws—as well as provisions for treatment of stalkers.
- An equal right to help and treatment for all men, women, and children impacted by stalking.
- National action plans for the management of stalking in municipalities, sectors, and authorities.
- Information about stalking at all public schools and other educational institutions.
- Better consistency between the parental responsibility law and the law related to restraining orders in custody cases.

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Conclusions

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CONCLUDING REMARKS

It is known that stalking is a global phenomenon, with the core construct appearing to transcend international boundaries. Still, much of what is known is based on populations within Western, Educated, Industrialized, Rich, and Democratic (WEIRD) populations (Henrich, Heine, and Norenzayan [2010] The weirdest people in the world? *Behavioural and Brain Sciences*). Furthermore, many WEIRD countries have not yet found a voice within the stalking literature. The collection of chapters that make up this book have aided the development of a voice from countries that are not dominant within the stalking literature, and have further emphasized the global nature of stalking.

Some countries have well-developed responses to stalking. Other countries do not. In yet others stalking is not even on the social and political agenda. Even in those countries that have sophisticated responses and a broad foundation knowledge, challenges to recognizing and responding to stalking exist. As highlighted by the chapters within this book, these challenges include the ever-present problem of funding, as well as obstacles associated with limited expertise and convincing other professionals that stalking should not be subsumed under other headings such as family violence. We saw that in Lithuania

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little is known but that a small number of enterprising and committed researchers are endeavoring to map out the course and nature of stalking within Lithuania and are making recommendations concerning what action needs to be taken. We saw a similar example from South Africa, where there has been limited interest at a national level in the problems that stalking causes. This book clearly demonstrates that, on a global scale, opportunities exist for the brave and committed.

The social and individual level problems that stalking causes have been widely and convincingly identified. Prevalence rates for stalking within countries where national representative surveys have been conducted tend to be high: indicating that around one in five women and one in ten men can expect to be targeted by a stalker at some point during their lifetime. Of course, we don't know whether these rates apply worldwide but the limited evidence that we have certainly suggests that they may. The harms experienced by victims also seem to be universal, spanning a range of social, psychological, physical, and economic consequences.

Future work needs to address how universal stalking is and how far culture plays a role. Some recent work of my own compared perceptions and experiences of a range of intrusive behaviors across 12 countries, namely Armenia, Australia, Egypt, England, Finland, India, Indonesia, Italy, Japan, Portugal, Scotland, and Trinidad and Tobago. The take away message from these studies was that culture appeared to influence not only how frequently young women experienced different forms of intrusive behaviors (many of which would be seen within stalking), but also how acceptable they perceived these intrusive behaviors to be. Young women in countries with higher levels of gender inequality and a more collectivist culture seem to be less accepting of behavior associated with uncommitted sexual relations, and more accepting of being monitored by men. Conversely, young women in countries with higher levels of gender equality and a more individualistic culture seem to be more accepting of behavior associated with uncommitted sexual relations, and less accepting of being monitored by men. These findings would suggest that when we ask about stalking in different countries, we may seek to tailor our approach to truly capture needs and concerns at ground level. Only with a full understanding of what victims require can we move forward and make recommendations for action, particularly within countries where little is known about stalking.

Cultural differences in relation to stalking may also exist within countries as well as between them. Drawing again on our own recent work, my co-editor Oliver Chan and myself found that in Singapore, intrusive behaviors relating to courtship were judged differently by young women from Chinese, Malay, and Indian ethnic backgrounds.

This suggests that we need to better delineate the influence of culture on stalking behavior. In the present book, Fawn Ngo's Chapter 2 noted that ethnicity and race are often not reliably measured in research on interpersonal violence, with various ethnic subgroups poorly represented and subsumed within a single category. Ngo's chapter also discusses the evidence on barriers to help seeking that exist for ethnic minorities and issues of under reporting due to stigma. It cannot be assumed that if a problem does not appear in the statistics then it does not exist. This further underlines the need to place culture high on the agenda in future stalking research, as although stalking is a global phenomenon, we must be aware of cultural differences in how it is viewed and responded to.

The internet is a wonderful resource for the stalker. The internet transcends international boundaries, creating additional challenges for those of us who seek to understand and respond to stalking activity. Three chapters within this book specifically looked at stalking in the online space. Annabel Chan and Luke Bartlett's Chapter 14 explained how and why stalking can be mediated, facilitated, and amplified by the availability of online tools and media, and outlined the challenges associated with making people accountable for their online actions. This chapter and Chapter 1 by Erica Fissel and colleagues observed that there is insufficient research on the relationship between online and offline harms. Fissel et al. provide four firm recommendations that should be followed by researchers and these are worth reiterating here. They firstly note that much of the stalking and cyberstalking research has developed as two separate parallel bodies of inquiry, even though cyberstalking is both legally and conceptually defined as a subcategory of stalking. This needs to change and, instead, stalking by the use of online means should be considered as a stalking tactic. Second, valid and reliable measures of stalking and cyberstalking should be developed, facilitated by a special issue of a scholarly journal. This would allow findings to be compared across studies, something that is a longstanding problem in this area. Third, although we believe that stalking and cyberstalking victimization may be linked, with one leading to the other, we have not yet paid sufficient attention to the links between these phenomena and other forms of victimization, in particular domestic and family violence and sexual assault. How frequently do these co-occur and what are the dynamics? Fourth, more time needs to be given to theory. No one theoretical framework dominates explanations of stalking. As such, Fissel et al. make the excellent suggestion that alternative theories, perhaps from outside criminology and victimology, should be tested. The third chapter in this book that examined cyber issues, Chapter 4 written by Majeed Khader and Stephanie

Chan, was based on three surveys of online stalking in Singapore. An alarming rate for cyberstalking among a high school sample was revealed. It is evident that our youth need protection and clear guidance, and this would be facilitated in the first instance by following Fissel et al.'s recommendations. More positively, Khader and Chan's findings also showed that participants held positive feelings toward being supported, and as such there are obvious opportunities for us to assist.

Importantly, this book provides in-depth detail concerning what we know about stalking and examples of best practice for combating stalking. Chapters have been provided by organizations in Denmark and Germany and the UK that offer a wealth of information on services that are offered for stalkers and their victims. In Denmark, the Danish Stalking Centre was set up by Lise Linn Larsen following a horrific attack by a stalker and a lack of support from authorities. Larsen's efforts resulted in stalking being taken seriously by the Danish Ministry of Justice and the police and the Danish Stalking Centre now receives government funding. The Centre provides support to victims, stalkers, and professionals who work with victims and stalkers and offers inspiration for those seeking to set up similar services. A full description of the multidisciplinary interventions engaged in by the Centre is provided in this book, and the successes of the Centre are clear. The German service, Stop-Stalking Berlin, had different origins, being set up in response to the introduction of an anti-stalking law. Again, a service is provided for both victims and stalkers. Chapter 15 from Germany provides comprehensive insights into the psychology of the stalker and provides a roadmap for how stalkers can be challenged and helped. The work of Stop-Stalking Berlin demonstrates that although stalking is difficult to counter, the approaches taken by this organization have been successful in eliminating stalking behavior or at least reducing its intensity. These chapters illustrate that a community-based, multifaceted and multidisciplinary approach is key. This is further supported by the successes of the UK's National Stalking Clinic. Although their approach is somewhat different, being placed within a broader forensic service, many of the key takeaway messages are similar. For example, there is no one size fits all approach. These chapters all provide models for use within countries where no such interventions or knowledge centers exist.

In Chapter 12 from the Netherlands, the fundamental problems that stalking poses for policing were well illustrated. These problems relate to recognizing and defining stalking and the challenges for victims who must demonstrate that there exists a pattern of behavior that constitutes stalking. The Dutch chapter details how these and

other issues have been considered by Netherlands National Police who have created a new system to improve their responses to stalking. Early results from pilot projects are favorable. This approach may serve as a model for other police jurisdictions.

In this book we also learned about developments in Portugal and Spain. In both these countries, a small number of dedicated researchers have successfully fought to place stalking on the political and social agenda. Part of this fight is against a prevailing social structure that serves to maintain and reinforce beliefs that men have a right to pursue women. Chapters 8 and 10 from Spain and Portugal, respectively, again demonstrate the need for a variety of actors to be involved in preventing and responding to stalking, and that coordination is required between the family, education systems, commerce, police, and the justice system. This important fact was echoed in the chapter from Sweden, where we saw that the management and assessment of risk requires clear communication between the police and other agencies to ensure that differing motivations and mandates do not get in the way of victim protection.

This book was underpinned throughout by evidenced-based practice and sound research. Some of this research was novel and this demonstrates how far the stalking literature has developed over the last two decades. Researchers are now exploring specific subpopulations and are asking pertinent questions with the aim of moving our understanding and application of various findings forward. To date, the child's perspective has been largely ignored, despite high prevalence rates of stalking and the knowledge that a significant proportion of stalking victims will have children, often with the person who became their stalker. In Chapter 3 from Finland we saw that children, even young children, are knowing victims and actors in stalking scenarios and the impact on them is significant. Child victims of stalking must be given a voice. Troy McEwan and Mike Davis's Chapter 5 provided an examination of the most commonly used stalker typologies, aiming to identify whether any of them were more effective at capturing the behavioral and personal characteristics of a sample of Australian stalkers. Clear recommendations were made for when and where to apply the systems to best effect. Again, the complexities of stalking were highlighted, as typologies that employ the most detailed systems of classification were found to offer the most potential to informing the investigation, treatment, and management of stalking. The final chapter in the theories and research section of this book, Chapter 6, brings us back to culture, demonstrating that there were some differences in public understanding of stalking and harassment legislation among participants in three countries, all of which are WEIRD

countries. This chapter also demonstrated low public familiarity with stalking legislation, and this matches the wider literature on perceptions of stalking which demonstrates that myths and misunderstandings about stalking are commonly held.

Taken together, the chapters that form this book provide a broad basis for both understanding and addressing stalking. We must now build on our knowledge and seek to better support the victims and perpetrators of stalking. For those countries that do not yet have a sophisticated system of response, guidelines have been offered for researching stalking, challenging social systems that discourage proactive responses, and establishing networks that aim to minimize the harms that stalkers do. In countries where highly developed response systems do exist, it is time to ask specific questions to better address subpopulations and further our understanding of cultural influences. For us all it is imperative that we continue to share our journeys and successes and strengthen our global connections.

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